

BANGOR
BREWER

11398.00

11575.00

11576.00

BEFORE SUBMITTING YOUR BID

- 1. Use pen and ink to complete the Bid.**
- 2. Have you signed and completed the Contract Agreement, Offer & Award Forms?**
- 3. As a minimum, the Bidder will submit a Bid Package consisting of the Notice to Contractors, the completed Acknowledgement of Bid Amendments form, the completed Schedule of Items, 2 copies of the completed Agreement, Offer, & Award form, a Bid Bond or Bid Guarantee, and any other Certifications or Bid Requirements listed in the Bid Book.**
- 4. Have you included prices for all Bid Items? (“Zero is not considered a bid price.”)**
- 5. Have you included a bid guarantee? Acceptable forms are:**
 - A. Bid Bond on the Department’s prescribed form for 5% of the Bid Amount. (Or forms that do not contain any significant variations from the Department’s forms as solely determined by the Department.)**
 - B. Official Bank Check, Cashier’s Check, Certified Check, U.S. Postal Money Order or Negotiable Certificate of Deposit in the amount stated in the Notice to Contractors.**
- 6. If the written Bid is to be sent, Federal Express overnight delivery is suggested as the package is delivered directly to the DOT Headquarters Building in Augusta. Other means, such as U.S. Postal Services’ Express Mail has proven not to be reliable.**

AND FOR FEDERAL AID PROJECTS

- 7. Have you included your DBE Proposed Utilization Form in the proper amounts, and furnished the completed form to the Contracts section by 4:30pm on bid opening day?**

If you need further information regarding Bid preparation, call the DOT Contracts Section at (207)624-3410.

For complete specifications regarding bidding requirements, refer to Section 102 of the Maine Department of Transportation, Standard Specifications, Revision December 2002.

NOTICE

The Maine Department of Transportation is attempting to improve the way Bid Amendments/Addendums are handled, and allow for an electronic downloading of bid packages from our website, while continuing to maintain a planholders list.

Prospective bidders, subcontractors or suppliers who wish to download a copy of the bid package and receive a courtesy notification of project specific bid amendments, must provide an email address to Diane Barnes at the MDOT Contracts mailbox at: MDOT.contracts@maine.gov. Each bid package will require a separate request.

Additionally, interested parties will be responsible for reviewing and retrieving the Bid Amendments from our web site, and acknowledging receipt and incorporating those Bid Amendments in their bids using the Acknowledgement of Bid Amendment Form.

The downloading of bid packages from the MDOT website is not the same as providing an electronic bid to the Department. Electronic bids must be submitted via <http://www.BIDX.com>. For information on electronic bidding contract Rebecca Pooler at rebecca.pooler@maine.gov.

NOTICE

For security and other reasons, all Bid Packages which are mailed, shall be provided in double (one envelope inside the other) envelopes. The *Inner Envelope* shall have the following information provided on it:

Bid Enclosed - Do Not Open

PIN:

Town:

Date of Bid Opening:

Name of Contractor with mailing address and telephone number:

In Addition to the usual address information, the *Outer Envelope* should have written or typed on it:

Double Envelope: Bid Enclosed

PIN:

Town:

Date of Bid Opening:

Name of Contractor:

This should not be much of a change for those of you who use Federal Express or similar services.

Hand-carried Bids may be in one envelope as before, and should be marked with the following information:

Bid Enclosed: Do Not Open

PIN:

Town:

Name of Contractor:

STATE OF MAINE DEPARTMENT OF TRANSPORTATION
Bid Guaranty-Bid Bond Form

KNOW ALL MEN BY THESE PRESENTS THAT_____

_____, of the City/Town of _____ and State of _____

as Principal, and _____ as Surety, a

Corporation duly organized under the laws of the State of _____ and having a usual place of

Business in _____ and hereby held and firmly bound unto the Treasurer of

the State of Maine in the sum of _____ for payment which Principal and Surety bind

themselves, their heirs, executors, administrators, successors and assigns, jointly and severally.

The condition of this obligation is that the Principal has submitted to the Maine Department of

Transportation, hereafter Department, a certain bid, attached hereto and incorporated as a

part herein, to enter into a written contract for the construction of _____

_____ and if the Department shall accept said bid

and the Principal shall execute and deliver a contract in the form attached hereto (properly

completed in accordance with said bid) and shall furnish bonds for this faithful performance of

said contract, and for the payment of all persons performing labor or furnishing material in

connection therewith, and shall in all other respects perform the agreement created by the

acceptance of said bid, then this obligation shall be null and void; otherwise it shall remain in full

force, and effect.

Signed and sealed this _____ day of _____ 20_____

WITNESS:

WITNESS

PRINCIPAL:

By _____

By: _____

By: _____

SURETY:

By _____

By: _____

Name of Local Agency: _____

NOTICE

Bidders:

Please use the attached “Request for Information” form when faxing questions and comments concerning specific Contracts that have been Advertised for Bid. Include additional numbered pages as required.

REQUEST FOR INFORMATION

Date _____ Time _____

Information Requested: **PIN:** _____ **Town(s):** _____

[illegible]

Request by: _____ **Phone:** (____) _____

Bid Date: _____ **Fax:** (____) _____

Complete top portion of form and transmit to the number listed in the Notice to Contractors

RFI No: _____ RFI received: _____

Response:_____

[illegible]

Response By:_____ Date:_____

NOTICE

Disadvantaged Business Enterprise Proposed Utilization

The Apparent Low Bidder must submit the Disadvantaged Business Enterprise Proposed Utilization form by close of Business (4:30 P.M.) on Bid day.

The Contractor's Disadvantaged Business Enterprise Proposed Utilization Plan form contains additional information that is required by USDOT.

The Contractor's Disadvantaged Business Enterprise Proposed Utilization Plan form must be used.

A copy of the new Contractor's Disadvantaged Business Enterprise Proposed Utilization Plan and instructions for completing it are attached.

Note: Questions about DBE firms, or to obtain a printed copy of the DBE Directory, contact Equal Opportunity at (207) 624-3066.

MDOT's DBE Directory of Certified firms can also be obtained at http://www.state.me.us/mdot/humnres/o_equalo/cdwbed_h.htm

INSTRUCTIONS FOR PREPARING THE CONTRACTOR'S DISADVANTAGED BUSINESS ENTERPRISE UTILIZATION PLAN

The Contractor Shall:

1. Submit a completed Contractor's Disadvantaged Business Enterprise Utilization Plan to the Contract's Engineer by 4:30 P.M. on the Bid day.
2. Extend equal opportunity to MDOT certified DBE firms (as listed in MDOT's DBE Directory of Certified Businesses) in the selection and utilization of Subcontractors and Suppliers.

SPECIFIC INSTRUCTIONS FOR COMPLETING THE FORM:

Insert Contractor name, the name of the person(s) preparing the form, and that person(s) telephone and fax number.

Provide total Bid price, Federal Project Identification Number, and location of the Project work.

In the columns, name each DBE firm to be used, provide the Unit or Item cost of the Work/Product to be provided by the DBE firm, give a brief description of the Work, and the dollar value of the Work.

If no DBE firm is to be utilized, the Contractor must document the reason(s) why no DBE firms are being used. Specific supporting evidence of good faith efforts taken by Contractors to solicit DBE Bidders must be attached. This evidence, as a minimum, includes phone logs, e-mail and/or mail DBE solicitation records, and the documented results of these solicitations.

NOTICE

Maine Department of Transportation Disadvantaged Business Enterprise Program

Notice is hereby given that in accordance with US DOT regulation 49 CFR Part 26, the Maine Department of Transportation has established a DBE Program for disadvantaged business participation in the federal-aid construction program; MaineDOT contracts covered by the program include consulting, construction, supplies, manufacturing, and service contracts.

For FFY 2005 (October 1, 2004 through September 30, 2005), MaineDOT has established a DBE participation goal of 10.73% to be achieved through race/gender neutral means.

Interested parties may view MDOT's DBE goal setting methodology for the next 30 days during normal business hours (8-4, M-F) at the Maine Department of Transportation, Office of Human Resources, 16 State House Station, Augusta ME 04333-0016. Appointments may be scheduled by telephone at (207) 624-3066. The goal setting methodology is also available for viewing on the MaineDOT website: <http://www.maine.gov/mdot/disadvantaged-business-enterprises/dbe-home.php>.

Comments on the goal will be accepted for 45 days from the date of this notice. Written comments should be addressed to Christy Cross, Equal Employment Opportunity Coordinator, Maine Department of Transportation, Office of Human Resources, 16 State House Station, Augusta, Maine 04333-0016 or by e-mail at: christy.cross@maine.gov.

**MaineDOT CONTRACTOR'S DISADVANTAGED BUSINESS ENTERPRISE
PROPOSED UTILIZATION FORM**

Low Bidder must furnish this form to Contracts Section Bid Opening day.

Contractor: _____

Telephone: _____

Prepared by: _____

Fax: _____

BID PRICE: \$ _____

BID DATE: ____/____/____

FEDERAL PIN # _____

PROJECT LOCATION: _____

TOTAL DBE _____ % PARTICIPATION FOR THIS PROJECT

W B E•	D B E•	Firm Name	Unit/Item Cost	Unit #	Description of Work & Item Number	Actual \$ Value
Total >						

Attach supporting evidence to the maximum participation of DBEs on this project. This is a requirement. This evidence must include name of firm(s) contacted, date contacted, and outcome of solicitation.

Equal Opportunity Use:

Form received: ____/____/____ Verified by: _____

____ Accepted ____ Rejected _____

cc: ☐ Contracts ☐ Other _____

- WBEs are non-minority women owned firms certified by MaineDOT
 - DBEs are male and minority owned firms certified by MaineDOT
- For a complete list of certified firms go to <http://www.maine.gov/mdot>



Office of Human Resources

Equal Opportunity

MAINE DEPARTMENT OF TRANSPORTATION

Certified Disadvantaged and Women Business Enterprise

DBE DIRECTORY - MINORITY OWNED

WBE DIRECTORY - WOMEN OWNED

WEBSITE FOR DIRECTORY CAN BE FOUND AT:

http://www.state.me.us/mdot/humnres/o_equalo/cdwbed_h.htm

It is the responsibility of the Contractor to access the DBE Directory at this site in order to have the most current listings.

State of Maine
VENDOR FORM
For New Vendors & for Updates on Current Vendors

Special Instructions:

PLEASE PRINT CLEARLY

Return this form to:

*** = MUST BE COMPLETED TO PROCESS**

ONLY ONE NAME/VENDOR PER FORM

New Vendor <input type="text"/>	Address Change <input type="text"/>	Multi Address <input type="text"/>	Name Change <input type="text"/>	Contact Update <input type="text"/>	ID # Change <input type="text"/>
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Social Security Number*
Individual or Sole Proprietor

OR

Federal Taxpayer ID Number*
Corporation

S

Business name in "DBA" field below.

Please fill in ONE.

E

Business name in "Name" field below.

This form will affect all transactions with ALL state agencies.

NEW:*

Remit to Address: Individual or Business Name.

Name*

DBA or C/O

Address*

Tel #*

OLD:

Old number:

Name

DBA or C/O

Address

Tel #

	Is this the same name on your Social Security card?
	If not, have you told Social Security about your name change?

Acct #	<input style="width: 800px;" type="text"/>
Provider #	<input style="width: 800px;" type="text"/>

Signature* _____

Contact Name _____

Print Name or Title _____

Accounts Receivable Contact Name _____

Date* _____ (within 3 months)

Phone # if Different or for Contact Info _____

Vendor Indicators: Enter Y (Yes) For All Categories Listed Below That Apply To This Vendor

Dealer:	<input style="width: 60px;" type="text"/>
Jobber:	<input style="width: 60px;" type="text"/>
Individual:	<input style="width: 60px;" type="text"/>
Minority:	<input style="width: 60px;" type="text"/>

Manufacturer:	<input style="width: 60px;" type="text"/>
Retailer:	<input style="width: 60px;" type="text"/>
Partnership:	<input style="width: 60px;" type="text"/>
Small Business:	<input style="width: 60px;" type="text"/>

Factory Rep:	<input style="width: 60px;" type="text"/>
Commodity:	<input style="width: 60px;" type="text"/>
Incorporated:	<input style="width: 60px;" type="text"/>
In-State:	<input style="width: 60px;" type="text"/>

Information on State Agency Submitting Vendor Form

State Agency* & SHS # _____	Contact Person Name & Title* _____	Telephone #* _____
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Send to: Maine Department of Transportation/ Contracts 16 SHS, Augusta, ME 04333-0014 Attn: Pat Brown

May-04

INSTRUCTIONS FOR COMPLETING VENDOR FORM

1. **Print Clearly**
2. **All sections marked with an * must be completed for processing**
3. **Send completed form to requesting State agency OR remit to address at bottom of form.**
4. **Do NOT send by Fax. Only originals will be accepted.**

<u>FIELDS</u>	<u>INFORMATION NEEDED FOR FIELD</u>
<i>Instructi ons</i>	<i>Instructions to Vendor from Agency requesting information.</i>
<i>Return to</i>	<i>The location of agency where the form is to be mailed back to. If none use address at bottom of form.</i>
Boxes above	Please check mark all that apply to the vendor. If other, please specify. If it's a new vendor only one will apply: "New Vendor"
Social Security	Individuals, individuals "doing business as", and individuals without a Federal Taxpayer ID #. Use if not using EIN
Federal Taxpayer	Businesses or professionals providing services. (ID # needs to be use for REMITTANCE purposes.) Use if not using SSN
New	Current Information
Old	Old information (If another ID# had been used please put it next to "OLD")
Name	Individual's Name or Business Name. ONLY ONE name per a form.
DBA or C	"Doing business as" or "In Care Of"
Address	REMITTANCE ADDRESS - Street Address OR PO Box (one or the other)
Tel #	Phone Number of individual or business
Signature	Individual or authorized representative of individual or authorized representative of the business
Date	Current Date (no more than 3 months old)
Contact N	Contact person at business

Accounts Receivable Contact Name	Contact person at business for accounts receivables.
Phone #	Phone for Act Rec Contact
Vendor Indicator s	Indicate all that apply for the vendor, as needed
Agency In	For Agency personnel submitting the form. Contact info incase of questions.

STATE OF MAINE DEPARTMENT OF TRANSPORTATION NOTICE TO CONTRACTORS

Sealed Bids addressed to the Maine Department of Transportation, Augusta, Maine 04333 and endorsed on the wrapper "Bid for Hot Mix Asphalt Overlay, Pavement Milling, Cold in Place Recycled Asphalt Pavement (traveling pugmill), Drainage and Safety Improvements with Options of Full Depth Recycled Asphalt Pavement with Foamed Asphalt, Plant Mixed Recycled Asphalt Pavement and Full Depth Recycled Pavement in the of City of **Bangor** and the City of **Brewer**" will be received from contractors at the Reception Desk, Maine DOT Building, Child Street, Augusta, Maine, until 11:00 o'clock A.M. (prevailing time) on April 20, 2005, and at that time and place publicly opened and read. Bids will be accepted from contractors prequalified by the Department of Transportation for highway construction or paving projects. All other Bids may be rejected. **MDOT provides the option of electronic bidding. We accept electronic bids for those bid packages posted on the bidx.com website. Electronic bids do not have to be accompanied by paper bids. Please note: the Department will accept a facsimile of the bid bond; however, the original bid bond must then be received at the MDOT Contract Section within 72 hours of the bid opening. Until further notice, dual bids (one paper, one electronic) will be accepted, with the paper copy taking precedence.**

Description: Maine Federal Aid Project Nos.: NH-1139(800)E, PIN 011398.00; STP-1157(500)X, PIN 011575.00; STP-1157(600)X, PIN 011576.00

Location: In Penobscot County, project NH-1139(800)E is located in Brewer on Route 9, beginning at State Street and extending easterly 3.73 miles to the Eddington town line. Project No. STP-1157(500)X is located in Bangor on Union Street (Route 222), beginning 0.26 mi westerly of Sunset Ave. and extending easterly 1.25 miles to Hammond Street. Project No. STP-1157(600)X is located in Brewer on Eastern Avenue, beginning at Pierce Road and extending westerly 1.39 miles to State Street.

Outline of Work: Hot Mix Asphalt Overlay, Pavement Milling, Cold in Place Recycled Asphalt Pavement (traveling pugmill), Drainage and Safety Improvements with Options of Full Depth Recycled Asphalt Pavement with Foamed Asphalt, Plant Mixed Recycled Asphalt Pavement and Full Depth Recycled Pavement and other incidental work.

The Basis of award will be the lesser of the total of sections 1 and 2, 1 and 3, 1 and 4 or 1 and 5

For general information regarding Bidding and Contracting procedures, contact **Scott Bickford** at (207)624-3410. Our webpage at <http://www.state.me.us/mdot/project/design/homepg.htm> contains a copy of the schedule of items, Plan Holders List, written portions of bid amendments (not drawings), and bid results. For Project-specific information fax all questions to **James Andrews** at (207)624-3431. Questions received after 12:00 noon of Monday prior to bid date will not be answered. Bidders shall not contact any other Departmental staff for clarification of Contract provisions, and the Department will not be responsible for any interpretations so obtained. Hearing impaired persons may call the Telecommunication Device for the Deaf at (207)287-3392.

Specifications and bid forms may be seen at the Maine DOT Building in Augusta, Maine and at the Department of Transportation's Division Office in Rockland. They may be purchased from the Department between the hours of 8:00 a.m. to 4:30 p.m. by cash, credit card (Visa/Mastercard) or check payable to Treasurer, State of Maine sent to Maine Department of Transportation, Attn.: Mailroom, 16 State House Station, Augusta, Maine 04333-0016. They also may be purchased by telephone at (207)624-3536 between the hours of 8:00 a.m. to 4:30 p.m. Bid Book \$10 (\$13 by mail), Single Sheets \$2, payment in advance, all non-refundable.

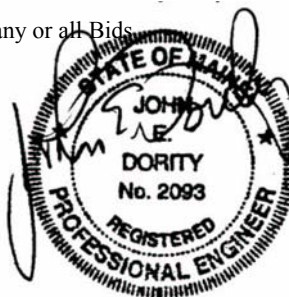
Each Bid must be made upon blank forms provided by the Department and must be accompanied by a bid bond at 5% of the bid amount or an official bank check, cashier's check, certified check, certificate of deposit, or United States postal money order in the amount of \$65,000 payable to Treasurer, State of Maine as a Bid guarantee. A Contract Performance Surety Bond and a Contract Payment Surety Bond, each in the amount of 100 percent of the Contract price, will be required of the successful Bidder.

This Contract is subject to all applicable Federal Laws. This contract is subject to compliance with the Disadvantaged Business Enterprise program requirements as set forth by the Maine Department of Transportation.

All work shall be governed by "State of Maine, Department of Transportation, Standard Specifications, Revision of December 2002", price \$10 [\$13 by mail], and Standard Details, Revision of December 2002, price \$20 [\$25 by mail] Standard Detail updates can be found at <http://www.state.me.us/mdot/project/design/homepg.htm>

The right is hereby reserved to the MDOT to reject any or all Bids.

Augusta, Maine
March 16, 2005



JOHN E. DORITY
CHIEF ENGINEER

SPECIAL PROVISION 102.7.3
ACKNOWLEDGMENT OF BID AMENDMENTS

With this form, the Bidder acknowledges its responsibility to check for all Amendments to the Bid Package. For each Project under Advertisement, Amendments are located at <http://www.maine.gov/mdot/comprehensive-list-projects/project-information.php>. It is the responsibility of the Bidder to determine if there are Amendments to the Project, to download them, to incorporate them into their Bid Package, and to reference the Amendment number and the date on the form below. The Maine DOT will not post Bid Amendments any later than noon the day before Bid opening without individually notifying all the planholders.

Amendment Number	Date

The Contractor, for itself, its successors and assigns, hereby acknowledges that it has received all of the above referenced Amendments to the Bid Package.

CONTRACTOR

Date

Signature of authorized representative

(Name and Title Printed)

MAINE DEPARTMENT OF TRANSPORTATION

BID

DATE OF OPENING :

CALL ORDER :

CONTRACT ID : 011398.00

PROJECTS

NH-1139(800)E
STP-1157(500)X
STP-1157(600)X

COUNTY : PENOBSCOT

SCHEDULE OF ITEMS

REVISED:

CONTRACT ID: 011398.00

PROJECT(S): NH-1139(800)E
STP-1157(500)X
STP-1157(600)X

CONTRACTOR : _____

LINE NO	ITEM DESCRIPTION	APPROX. QUANTITY AND UNITS	UNIT PRICE DOLLARS CTS	BID AMOUNT DOLLARS CTS
SECTION 0001 HIGHWAY ITEMS				
0010	202.202 REMOVING PAVEMENT SURFACE	48392.000 SY		
0020	202.203 PAVEMENT BUTT JOINTS	4241.000 SY		
0030	211.20 INSLOPE EXCAVATION	5100.000 LF		
0040	211.22 INSLOPE EXCAVATION - GUARDRAIL	4027.000 LF		
0050	211.30 DITCH EXCAVATION	4760.000 LF		
0060	304.103 AGGREGATE SUBBASE - GRAVEL (TRUCK MEASURE)	800.000 CY		
0070	310.35 COLD IN-PLACE RECYCLED ASPHALT PAVEMENT (TRAVELING PUGMILL) 5 INCH	32540.000 SY		
0080	403.209 HOT MIX ASPHALT 9.5 MM HMA (SIDEWALKS, DRIVES, INCIDENT ALS)	610.000 T		
0090	403.210 HOT MIX ASPHALT 9.5 MM HMA	10580.000 T		
0100	403.211 HOT MIX ASPHALT (SHIMMING)	4550.000 T		
0110	403.213 HOT MIX ASPHALT 12.5 MM HMA BASE	200.000 T		
0120	409.15 BITUMINOUS TACK COAT APPLIED	9980.000 G		

SCHEDULE OF ITEMS

REVISED:

CONTRACT ID: 011398.00

PROJECT(S): NH-1139(800)E
STP-1157(500)X
STP-1157(600)X

CONTRACTOR : _____

LINE NO	ITEM DESCRIPTION	APPROX. QUANTITY AND UNITS	UNIT PRICE		BID AMOUNT	
			DOLLARS	CTS	DOLLARS	CTS
0130	411.10 UNTREATED AGGREGATE SURFACE COURSE (TRUCK MEASURE)	100.000 CY				
0140	603.16 15 INCH CULVERT PIPE OPTION I	754.000 LF				
0150	603.17 18 INCH CULVERT PIPE OPTION I	124.000 LF				
0160	603.179 18 INCH CULVERT PIPE OPTION III	737.000 LF				
0170	603.199 24 INCH CULVERT PIPE OPTION III	365.000 LF				
0180	604.161 ALTERING CATCH BASIN	39.000 EA				
0190	604.164 REBUILDING CATCH BASIN	12.000 EA				
0200	604.167 ALTER CATCH BASIN GRATE TO CASCADE	4.000 EA				
0210	604.18 ADJUSTING MANHOLE OR CATCH BASIN TO GRADE	55.000 EA				
0220	604.182 CLEAN EXISTING CATCH BASIN AND MANHOLE	5.000 EA				
0230	604.262 CATCH BASIN TYPE B5-C	13.000 EA				
0240	606.1731 BRIDGE CONNECTION TYPE 1	4.000 EA				
0250	606.178 GUARDRAIL BEAM	50.000 LF				

SCHEDULE OF ITEMS

REVISED:

CONTRACT ID: 011398.00

PROJECT(S) : NH-1139(800)E
 STP-1157(500)X
 STP-1157(600)X

CONTRACTOR : _____

LINE NO	ITEM DESCRIPTION	APPROX. QUANTITY AND UNITS	UNIT PRICE DOLLARS CTS	BID AMOUNT DOLLARS CTS
0260	606.23 GUARDRAIL TYPE 3C - SINGLE RAIL	1125.000 LF		
0270	606.231 GUARDRAIL TYPE 3C - 15 FOOT RADIUS AND LESS	120.000 LF		
0280	606.265 TERMINAL END - SINGLE RAIL - GALVANIZED STEEL	4.000 EA		
0290	606.35 GUARDRAIL DELINEATOR POST	25.000 EA		
0300	606.367 REPLACE UNUSABLE EXISTING GUARDRAIL POSTS	30.000 EA		
0310	606.47 SINGLE WOOD POST	50.000 EA		
0320	606.754 WIDEN SHOULDER FOR GUARDRAIL 350 FLARED TERMINAL	15.000 EA		
0330	606.79 GUARDRAIL 350 FLARED TERMINAL	15.000 EA		
0340	608.26 CURB RAMP DETECTABLE WARNING FIELD	220.000 SF		
0350	609.31 CURB TYPE 3	17338.000 LF		
0360	609.38 RESET CURB TYPE 1	5860.000 LF		
0370	609.50 CONCRETE BASE FOR CURBING	5860.000 LF		

SCHEDULE OF ITEMS

DATE: 050406

REVISED:

CONTRACT ID: 011398.00

PROJECT(S): NH-1139(800)E
 STP-1157(500)X
 STP-1157(600)X

CONTRACTOR : _____

LINE NO	ITEM DESCRIPTION	APPROX. QUANTITY AND UNITS	UNIT PRICE DOLLARS CTS	BID AMOUNT DOLLARS CTS
0380	610.08 PLAIN RIPRAP	130.000 CY		
0390	613.319 EROSION CONTROL BLANKET	3581.000 SY		
0400	615.07 LOAM	550.000 CY		
0410	618.1301 SEEDING METHOD NUMBER 1 - PLAN QUANTITY	95.000 UN		
0420	618.1401 SEEDING METHOD NUMBER 2 - PLAN QUANTITY	259.000 UN		
0430	619.1201 MULCH - PLAN QUANTITY	354.000 UN		
0440	620.58 EROSION CONTROL GEOTEXTILE	436.000 SY		
0450	627.711 WHITE OR YELLOW PAINTED PAVEMENT MARKING LINE (PLAN QUANTITY)	95272.000 LF		
0460	627.75 WHITE OR YELLOW PAVEMENT AND CURB MARKING	5080.000 SF		
0470	627.76 TEMPORARY PVMT. MARK LINE, W OR YELLOW	LUMP	LUMP	
0480	629.05 HAND LABOR, STRAIGHT TIME	100.000 HR		
0490	631.10 AIR COMPRESSOR (INCLUDING OPERATOR)	25.000 HR		

SCHEDULE OF ITEMS

REVISED:

CONTRACT ID: 011398.00

PROJECT(S) : NH-1139(800)E
 STP-1157(500)X
 STP-1157(600)X

CONTRACTOR :

LINE NO	ITEM DESCRIPTION	APPROX. QUANTITY AND UNITS	UNIT PRICE		BID AMOUNT	
			DOLLARS	CTS	DOLLARS	CTS
0500	631.11 AIR TOOL (INCLUDING OPERATOR)	25.000 HR				
0510	631.12 ALL PURPOSE EXCAVATOR (INCLUDING OPERATOR)	341.000 HR				
0520	631.14 GRADER (INCLUDING OPERATOR)	20.000 HR				
0530	631.172 TRUCK - LARGE (INCLUDING OPERATOR)	460.000 HR				
0540	631.18 CHAIN SAW RENTAL (INCLUDING OPERATOR)	25.000 HR				
0550	631.32 CULVERT CLEANER (INCLUDING OPERATOR)	56.000 HR				
0560	639.19 FIELD OFFICE TYPE B	1.000 EA				
0570	652.38 FLAGGER	5060.000 HR				
0580	652.39 WORK ZONE TRAFFIC CONTROL	LUMP	LUMP			
0590	656.75 TEMPORARY SOIL EROSION AND WATER POLLUTION CONTROL	LUMP	LUMP			
0600	658.20 ACRYLIC LATEX COLOR FINISH, GREEN	10.000 SY				
0610	659.10 MOBILIZATION	LUMP	LUMP			

SCHEDULE OF ITEMS

REVISED:

CONTRACT ID: 011398.00

PROJECT(S): NH-1139(800)E
 STP-1157(500)X
 STP-1157(600)X

CONTRACTOR : _____

LINE NO	ITEM DESCRIPTION	APPROX. QUANTITY AND UNITS	UNIT PRICE		BID AMOUNT	
			DOLLARS	CTS	DOLLARS	CTS
0620	660.21 ON-THE-JOB TRAINING (BID)	2000.000 HR				
0630	801.14 4" PVC SANITARY SEWER	100.000 LF				
0640	801.17 8 INCH PVC SANITARY SEWER (SDR-35)	115.000 LF				
0650	801.175 10 INCH PVC SANITARY SEWER	439.000 LF				
0660	801.18 12 INCH PVC SANITARY SEWER (SDR-35)	170.000 LF				
0670	803.01 TEST PITS	2.000 EA				
0680	803.16 4 FOOT DIAMETER PRECAST SEWER MANHOLE	5.000 EA				
0690	812.162 ADJUSTING SEWER MANHOLE TO GRADE	68.000 EA				
0700	812.164 REBUILDING SEWER MANHOLE	1.000 EA				
0710	823.011 GATE VALVE BOX, INSTALL ONLY	36.000 EA				
0720	823.332 GATE VALVE BOX, ADJUST TO GRADE	20.000 EA				
	SECTION 0001 TOTAL					

SCHEDULE OF ITEMS

REVISED:

CONTRACT ID: 011398.00

PROJECT(S): NH-1139(800)E
STP-1157(500)X
STP-1157(600)X

CONTRACTOR : _____

LINE	ITEM		APPROX.		UNIT PRICE		BID AMOUNT
NO	DESCRIPTION		QUANTITY		-----		-----
			AND UNITS		DOLLARS CTS		DOLLARS CTS

SECTION 0002 OPTION 1

	204.41 REHABILITATION OF						
0730	EXISTING SHOULDERS, PLAN		2720.000				
	QUANTITY		SY				
	309.36 FULL DEPTH REC						
0740	PAVEMENT W/FOAM ASPHALT		12700.000				
	6 INCH DEPTH		SY				
	403.210 HOT MIX ASPHALT						
0750	9.5 MM HMA		875.000				
			T				
	403.213 HOT MIX ASPHALT						
0760	12.5 MM HMA BASE		1050.000				
			T				
	SECTION 0002 TOTAL						.

SCHEDULE OF ITEMS

REVISED:

CONTRACT ID: 011398.00

PROJECT(S): NH-1139(800)E
STP-1157(500)X
STP-1157(600)X

CONTRACTOR : _____

LINE	ITEM	APPROX.	UNIT PRICE	BID AMOUNT
NO	DESCRIPTION	QUANTITY	-----	-----
		AND UNITS	DOLLARS CTS	DOLLARS CTS

SECTION 0003 OPTION 2

204.41 REHABILITATION OF				
0770 EXISTING SHOULDERS, PLAN		2720.000		
QUANTITY	SY			
307.32 FULL DEPTH				
0780 RECYCLED		12700.000		
PAVEMENT (UNTREATED	SY			
MAINLINE TRAVELWAY)				
310.23 PLANT MIX				
0790 RECYCLED ASPHALT		12700.000		
PAVEMENT - 3 INCH DEPTH	SY			
403.210 HOT MIX ASPHALT				
0800 9.5 MM HMA		1050.000		
	T			
403.213 HOT MIX ASPHALT				
0810 12.5 MM HMA BASE		1225.000		
	T			
SECTION 0003 TOTAL				.

SCHEDULE OF ITEMS

REVISED:

CONTRACT ID: 011398.00

PROJECT(S): NH-1139(800)E
 STP-1157(500)X
 STP-1157(600)X

CONTRACTOR : _____

LINE NO	ITEM DESCRIPTION	APPROX. QUANTITY AND UNITS	UNIT PRICE		BID AMOUNT	
			DOLLARS	CTS	DOLLARS	CTS

SECTION 0004 OPTION 3

0820	304.104 AGGREGATE SUBBASE COURSE (PLAN QUANTITY)	1715.000 CY				
0830	310.23 PLANT MIX RECYCLED ASPHALT PAVEMENT - 3 INCH DEPTH	12700.000 SY				
0840	403.210 HOT MIX ASPHALT 9.5 MM HMA	1050.000 T				
0850	403.213 HOT MIX ASPHALT 12.5 MM HMA BASE	1400.000 T				
SECTION 0004 TOTAL						.

SCHEDULE OF ITEMS

REVISED:

CONTRACT ID: 011398.00

PROJECT(S): NH-1139(800)E
STP-1157(500)X
STP-1157(600)X

CONTRACTOR : _____

LINE	ITEM		APPROX.		UNIT PRICE		BID AMOUNT
NO	DESCRIPTION		QUANTITY		-----		-----
			AND UNITS		DOLLARS CTS		DOLLARS CTS

SECTION 0005 OPTION 4

	204.41 REHABILITATION OF						
0860	EXISTING SHOULDERS, PLAN		2720.000				
	QUANTITY		SY				
	307.32 FULL DEPTH						
0870	RECYCLED		12700.000				
	PAVEMENT (UNTREATED		SY				
	MAINELINE TRAVELWAY)						
	403.210 HOT MIX ASPHALT						
0880	9.5 MM HMA		1050.000				
			T				
	403.213 HOT MIX ASPHALT						
0890	12.5 MM HMA BASE		2495.000				
			T				
	SECTION 0005 TOTAL						
	TOTAL BID						

CONTRACT AGREEMENT, OFFER & AWARD

AGREEMENT made on the date last signed below, by and between the State of Maine, acting through and by its Department of Transportation (Department), an agency of state government with its principal administrative offices located at Child Street Augusta, Maine, with a mailing address at 16 State House Station, Augusta, Maine 04333-0016, and

_____ a corporation or other legal entity organized under the laws of the State of _____, with its principal place of business located at _____

The Department and the Contractor, in consideration of the mutual promises set forth in this Agreement (the "Contract"), hereby agree as follows:

A. The Work.

The Contractor agrees to complete all Work as specified or indicated in the Contract including Extra Work in conformity with the Contract, **NH-1139(800)E, PIN 011398.00; STP-1157(500)X, PIN 011575.00; STP-1157(600)X, PIN 011576.00** for the **Hot Mix Asphalt Overlay, Pavement Milling, Cold in Place Recycled Asphalt Pavement (traveling pugmill), Drainage and Safety Improvements with Options of Full Depth Recycled Asphalt Pavement with Foamed Asphalt, Plant Mixed Recycled Asphalt Pavement and Full Depth Recycled Pavement** in the cities of **Bangor** and **Brewer** in the County of Penobscot, Maine. The Work includes construction, maintenance during construction, warranty as provided in the Contract, and other incidental work.

The Contractor shall be responsible for furnishing all supervision, labor, equipment, tools supplies, permanent materials and temporary materials required to perform the Work including construction quality control including inspection, testing and documentation, all required documentation at the conclusion of the project, warranting its work and performing all other work indicated in the Contract.

The Department shall have the right to alter the nature and extent of the Work as provided in the Contract; payment to be made as provided in the same.

B. Time.

The Contractor agrees to complete all Work, except warranty work, on or before **October 22, 2005**. Further, the Department may deduct from moneys otherwise due the Contractor, not as a penalty, but as Liquidated Damages in accordance with Sections 107.7 and 107.8 of the State of Maine Department of Transportation Standard Specifications, Revision of December 2002.

C. Price.

The quantities given in the Schedule of Items of the Bid Package will be used as the basis for determining the original Contract amount and for determining the amounts of the required Performance Surety Bond and Payment Surety Bond, and that the amount of this offer is

Section 0001 & 0002 \$ _____

Section 0001 & 0003 \$ _____

Section 0001 & 0004 \$ _____

Section 0001 & 0005 \$ _____

Performance Bond and Payment Bond each being 100% of the amount awarded under this Contract (see award amount in Section G below).

D. Contract.

This Contract, which may be amended, modified, or supplemented in writing only, consists of the Contract documents as defined in the Plans, Standard Specifications, Revision of December 2002, Standard Details Revision of December 2002 as updated through advertisement, Supplemental Specifications, Special Provisions, Contract Agreement; and Contract Bonds. It is agreed and understood that this Contract will be governed by the documents listed above.

E. Certifications.

By signing below, the Contractor hereby certifies that to the best of the Contractor's knowledge and belief:

1. All of the statements, representations, covenants, and/or certifications required or set forth in the Bid and the Bid Documents, including those in Appendix A to Division 100 of the Standard Specifications Revision of December 2002 (Federal Contract Provisions Supplement), and the Contract are still complete and accurate as of the date of this Agreement.
2. The Contractor knows of no legal, contractual, or financial impediment to entering into this Contract.
3. The person signing below is legally authorized by the Contractor to sign this Contract on behalf of the Contractor and to legally bind the Contractor to the terms of the Contract.

F. Offer.

The undersigned, having carefully examined the site of work, the Plans, Standard Specifications Revision of December 2002, Standard Details Revision of December 2002 as updated through advertisement, Supplemental Specifications, Special Provisions, Contract Agreement; and Contract Bonds contained herein for construction of: **NH-1139(800)E, PIN 011398.00; STP-1157(500)X, PIN 011575.00; STP-1157(600)X, PIN 011576.00** for the **Hot Mix Asphalt Overlay, Pavement Milling, Cold in Place Recycled Asphalt Pavement (traveling pugmill), Drainage and Safety Improvements with Options of Full Depth Recycled Asphalt Pavement with Foamed Asphalt, Plant Mixed Recycled Asphalt Pavement and Full Depth Recycled Pavement** in the cities of **Bangor** and **Brewer** in the County of Penobscot, State of Maine, on which bids will be received until the time specified in the “Notice to Contractors” do(es) hereby bid and offer to enter into this contract to supply all the materials, tools, equipment and labor to construct the whole of the Work in strict accordance with the terms and conditions of this Contract at the unit prices in the attached “Schedule of Items”.

The Offeror agrees to perform the work required at the price specified above and in accordance with the bids provided in the attached “Schedule of Items” in strict accordance with the terms of this solicitation, and to provide the appropriate insurance and bonds if this offer is accepted by the Government in writing.

As Offeror also agrees:

First: To do any extra work, not covered by the attached “Schedule of Items”, which may be ordered by the Resident, and to accept as full compensation the amount determined upon a “Force Account” basis as provided in the Standard Specifications, Revision of December 2002, and as addressed in the contract documents.

Second: That the bid bond at 5% of the bid amount or the official bank check, cashier’s check, certificate of deposit or U. S. Postal Money Order in the amount given in the “Notice to Contractors”, payable to the Treasurer of the State of Maine and accompanying this bid, shall be forfeited, as liquidated damages, if in case this bid is accepted, and the undersigned shall fail to abide by the terms and conditions of the offer and fail to furnish satisfactory insurance and Contract bonds under the conditions stipulated in the Specifications within 15 days of notice of intent to award the contract.

Third: To begin the Work on the date specified in the Engineer’s “Notice to Commence Work” as stated in Section 107.2 of the Standard Specifications Revision of December 2002 and complete the Work within the time limits given in the Special Provisions of this Contract.

Fourth: The Contractor will be bound to the Disadvantaged Business Enterprise (DBE) Requirements contained in the attached Notice (Additional Instructions to Bidders) and submit a completed Contractor’s Disadvantaged Business Enterprise Utilization Plan by 4:30pm on the day of bid opening to the Contracts Engineer.

Fifth: That this offer shall remain open for 30 calendar days after the date of opening of bids.

Sixth: The Bidder hereby certifies, to the best of its knowledge and belief that: the Bidder has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of competitive bidding in connection with its bid, and its subsequent contract with the Department.

IN WITNESS WHEREOF, the Contractor, for itself, its successors and assigns, hereby execute two duplicate originals of this Agreement and thereby binds itself to all covenants, terms, and obligations contained in the Contract Documents.

CONTRACTOR

_____	_____
Date	(Signature of Legally Authorized Representative of the Contractor)
_____	_____
Witness	(Name and Title Printed)

G. Award.

The basis of award will be the total sum of all sections.

Your offer is hereby accepted for (see checked boxes):

Section 0001 & 0002 ☐
Section 0001 & 0003 ☐
Section 0001 & 0004 ☐
Section 0001 & 0005 ☐

Contract Amount: _____

This award consummates the Contract, and the documents referenced herein.

MAINE DEPARTMENT OF TRANSPORTATION

_____	_____
Date	By: David A. Cole, Commissioner

Witness	

CONTRACT AGREEMENT, OFFER & AWARD

AGREEMENT made on the date last signed below, by and between the State of Maine, acting through and by its Department of Transportation (Department), an agency of state government with its principal administrative offices located at Child Street Augusta, Maine, with a mailing address at 16 State House Station, Augusta, Maine 04333-0016, and

_____ a corporation or other legal entity organized under the laws of the State of _____, with its principal place of business located at _____

The Department and the Contractor, in consideration of the mutual promises set forth in this Agreement (the "Contract"), hereby agree as follows:

A. The Work.

The Contractor agrees to complete all Work as specified or indicated in the Contract including Extra Work in conformity with the Contract, **NH-1139(800)E, PIN 011398.00; STP-1157(500)X, PIN 011575.00; STP-1157(600)X, PIN 011576.00** for the **Hot Mix Asphalt Overlay, Pavement Milling, Cold in Place Recycled Asphalt Pavement (traveling pugmill), Drainage and Safety Improvements with Options of Full Depth Recycled Asphalt Pavement with Foamed Asphalt, Plant Mixed Recycled Asphalt Pavement and Full Depth Recycled Pavement** in the cities of **Bangor** and **Brewer** in the County of Penobscot, Maine. The Work includes construction, maintenance during construction, warranty as provided in the Contract, and other incidental work.

The Contractor shall be responsible for furnishing all supervision, labor, equipment, tools supplies, permanent materials and temporary materials required to perform the Work including construction quality control including inspection, testing and documentation, all required documentation at the conclusion of the project, warranting its work and performing all other work indicated in the Contract.

The Department shall have the right to alter the nature and extent of the Work as provided in the Contract; payment to be made as provided in the same.

B. Time.

The Contractor agrees to complete all Work, except warranty work, on or before **October 22, 2005**. Further, the Department may deduct from moneys otherwise due the Contractor, not as a penalty, but as Liquidated Damages in accordance with Sections 107.7 and 107.8 of the State of Maine Department of Transportation Standard Specifications, Revision of December 2002.

C. Price.

The quantities given in the Schedule of Items of the Bid Package will be used as the basis for determining the original Contract amount and for determining the amounts of the required Performance Surety Bond and Payment Surety Bond, and that the amount of this offer is

Section 0001 & 0002 \$ _____

Section 0001 & 0003 \$ _____

Section 0001 & 0004 \$ _____

Section 0001 & 0005 \$ _____

Performance Bond and Payment Bond each being 100% of the amount awarded under this Contract (see award amount in Section G below).

D. Contract.

This Contract, which may be amended, modified, or supplemented in writing only, consists of the Contract documents as defined in the Plans, Standard Specifications, Revision of December 2002, Standard Details Revision of December 2002 as updated through advertisement, Supplemental Specifications, Special Provisions, Contract Agreement; and Contract Bonds. It is agreed and understood that this Contract will be governed by the documents listed above.

E. Certifications.

By signing below, the Contractor hereby certifies that to the best of the Contractor's knowledge and belief:

1. All of the statements, representations, covenants, and/or certifications required or set forth in the Bid and the Bid Documents, including those in Appendix A to Division 100 of the Standard Specifications Revision of December 2002 (Federal Contract Provisions Supplement), and the Contract are still complete and accurate as of the date of this Agreement.
2. The Contractor knows of no legal, contractual, or financial impediment to entering into this Contract.
3. The person signing below is legally authorized by the Contractor to sign this Contract on behalf of the Contractor and to legally bind the Contractor to the terms of the Contract.

F. Offer.

The undersigned, having carefully examined the site of work, the Plans, Standard Specifications Revision of December 2002, Standard Details Revision of December 2002 as updated through advertisement, Supplemental Specifications, Special Provisions, Contract Agreement; and Contract Bonds contained herein for construction of: **NH-1139(800)E, PIN 011398.00; STP-1157(500)X, PIN 011575.00; STP-1157(600)X, PIN 011576.00** for the **Hot Mix Asphalt Overlay, Pavement Milling, Cold in Place Recycled Asphalt Pavement (traveling pugmill), Drainage and Safety Improvements with Options of Full Depth Recycled Asphalt Pavement with Foamed Asphalt, Plant Mixed Recycled Asphalt Pavement and Full Depth Recycled Pavement** in the cities of **Bangor** and **Brewer** in the County of Penobscot, State of Maine, on which bids will be received until the time specified in the “Notice to Contractors” do(es) hereby bid and offer to enter into this contract to supply all the materials, tools, equipment and labor to construct the whole of the Work in strict accordance with the terms and conditions of this Contract at the unit prices in the attached “Schedule of Items”.

The Offeror agrees to perform the work required at the price specified above and in accordance with the bids provided in the attached “Schedule of Items” in strict accordance with the terms of this solicitation, and to provide the appropriate insurance and bonds if this offer is accepted by the Government in writing.

As Offeror also agrees:

First: To do any extra work, not covered by the attached “Schedule of Items”, which may be ordered by the Resident, and to accept as full compensation the amount determined upon a “Force Account” basis as provided in the Standard Specifications, Revision of December 2002, and as addressed in the contract documents.

Second: That the bid bond at 5% of the bid amount or the official bank check, cashier’s check, certificate of deposit or U. S. Postal Money Order in the amount given in the “Notice to Contractors”, payable to the Treasurer of the State of Maine and accompanying this bid, shall be forfeited, as liquidated damages, if in case this bid is accepted, and the undersigned shall fail to abide by the terms and conditions of the offer and fail to furnish satisfactory insurance and Contract bonds under the conditions stipulated in the Specifications within 15 days of notice of intent to award the contract.

Third: To begin the Work on the date specified in the Engineer’s “Notice to Commence Work” as stated in Section 107.2 of the Standard Specifications Revision of December 2002 and complete the Work within the time limits given in the Special Provisions of this Contract.

Fourth: The Contractor will be bound to the Disadvantaged Business Enterprise (DBE) Requirements contained in the attached Notice (Additional Instructions to Bidders) and submit a completed Contractor’s Disadvantaged Business Enterprise Utilization Plan by 4:30pm on the day of bid opening to the Contracts Engineer.

Fifth: That this offer shall remain open for 30 calendar days after the date of opening of bids.

Sixth: The Bidder hereby certifies, to the best of its knowledge and belief that: the Bidder has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of competitive bidding in connection with its bid, and its subsequent contract with the Department.

IN WITNESS WHEREOF, the Contractor, for itself, its successors and assigns, hereby execute two duplicate originals of this Agreement and thereby binds itself to all covenants, terms, and obligations contained in the Contract Documents.

CONTRACTOR

_____	_____
Date	(Signature of Legally Authorized Representative of the Contractor)
_____	_____
Witness	(Name and Title Printed)

G. Award.

The basis of award will be the total sum of all sections.

Your offer is hereby accepted for (see checked boxes):

Section 0001 & 0002 ☐
Section 0001 & 0003 ☐
Section 0001 & 0004 ☐
Section 0001 & 0005 ☐

Contract Amount: _____

This award consummates the Contract, and the documents referenced herein.

MAINE DEPARTMENT OF TRANSPORTATION

_____	_____
Date	By: David A. Cole, Commissioner

Witness	

CONTRACT AGREEMENT, OFFER & AWARD

AGREEMENT made on the date last signed below, by and between the State of Maine, acting through and by its Department of Transportation (Department), an agency of state government with its principal administrative offices located at 1705 U.S. Route 202, Winthrop, Maine, with a mailing address at 16 State House Station, Augusta, Maine 04333-0016, and (Name of the firm bidding the job) a corporation or other legal entity organized under the laws of the State of Maine, with its principal place of business located at (address of the firm bidding the job)

The Department and the Contractor, in consideration of the mutual promises set forth in this Agreement (the "Contract"), hereby agree as follows:

A. The Work.

The Contractor agrees to complete all Work as specified or indicated in the Contract including Extra Work in conformity with the Contract, PIN No. 1224.00

for the Hot Mix Asphalt Overlay in the town/city of West Eastport, County of Washington, Maine. The Work includes construction, maintenance during construction, warranty as provided in the Contract, and other incidental work.

The Contractor shall be responsible for furnishing all supervision, labor, equipment, tools supplies, permanent materials and temporary materials required to perform the Work including construction quality control including inspection, testing and documentation, all required documentation at the conclusion of the project, warranting its work and performing all other work indicated in the Contract.

The Department shall have the right to alter the nature and extent of the Work as provided in the Contract; payment to be made as provided in the same.

B. Time.

The Contractor agrees to complete all Work, except warranty work, on or before November 15, 2003. Further, the Department may deduct from moneys otherwise due the Contractor, not as a penalty, but as Liquidated Damages in accordance with Sections 107.7 and 107.8 of the State of Maine Department of Transportation Standard Specifications, Revision of December 2002.

C. Price.

The quantities given in the Schedule of Items of the Bid Package will be used as the basis for determining the original Contract amount and for determining the amounts of the required Performance Surety Bond and Payment Surety Bond, and that the amount of this offer is (Place bid here in alphabetical form such as One Hundred and Two dollars and 10 cents)
\$ (repeat bid here in numerical terms, such as \$102.10) Performance Bond and Payment Bond each being 100% of the amount of this Contract.

D. Contract.

This Contract, which may be amended, modified, or supplemented in writing only, consists of the Contract documents as defined in the Plans, Standard Specifications, Revision of December 2002, Standard Details Revision of December 2002, Supplemental Specifications, Special Provisions, Contract Agreement; and Contract Bonds. It is agreed and understood that this Contract will be governed by the documents listed above.

E. Certifications.

By signing below, the Contractor hereby certifies that to the best of the Contractor's knowledge and belief:

1. All of the statements, representations, covenants, and/or certifications required or set forth in the Bid and the Bid Documents, including those in Appendix A to Division 100 of the Standard Specifications Revision of December 2002 (Federal Contract Provisions Supplement), and the Contract are still complete and accurate as of the date of this Agreement.
2. The Contractor knows of no legal, contractual, or financial impediment to entering into this Contract.
3. The person signing below is legally authorized by the Contractor to sign this Contract on behalf of the Contractor and to legally bind the Contractor to the terms of the Contract.

F. Offer.

The undersigned, having carefully examined the site of work, the Plans, Standard Specifications, Revision of December 2002, Standard Details Revision of December 2002, Supplemental Specifications, Special Provisions, Contract Agreement; and Contract Bonds contained herein for construction of:

PIN 1234.00 West Eastport, Hot Mix Asphalt Overlay

State of Maine, on which bids will be received until the time specified in the "Notice to Contractors" do(es) hereby bid and offer to enter into this contract to supply all the materials, tools, equipment and labor to construct the whole of the Work in strict accordance with the terms and conditions of this Contract at the unit prices in the attached "Schedule of Items".

The Offeror agrees to perform the work required at the price specified above and in accordance with the bids provided in the attached "Schedule of Items" in strict accordance with the terms of this solicitation, and to provide the appropriate insurance and bonds if this offer is accepted by the Government in writing.

As Offeror also agrees:

First: To do any extra work, not covered by the attached "Schedule of Items", which may be ordered by the Resident, and to accept as full compensation the amount determined upon a "Force Account" basis as provided in the Standard Specifications, Revision of December 2002, and as addressed in the contract documents.

Second: That the bid bond at 5% of the bid amount or the official bank check, cashier's check, certificate of deposit or U. S. Postal Money Order in the amount given in the "Notice to Contractors", payable to the Treasurer of the State of Maine and accompanying this bid, shall be forfeited, as liquidated damages, if in case this bid is accepted, and the undersigned shall fail to abide by the terms and conditions of the offer and fail to furnish satisfactory insurance and Contract bonds under the conditions stipulated in the Specifications within 15 days of notice of intent to award the contract.

Third: To begin the Work on the date specified in the Engineer's "Notice to Commence Work" as stated in Section 107.2 of the Standard Specifications Revision of 2002 and complete the Work within the time limits given in the Special Provisions of this Contract.

Fourth: The Contractor will be bound to the Disadvantaged Business Enterprise (DBE) Requirements contained in the attached Notice (Additional Instructions to Bidders) and submit a completed Contractor's Disadvantaged Business Enterprise Utilization Plan by 4:30pm on the day of bid opening to the Contracts Engineer.

Fifth: That this offer shall remain open for 30 calendar days after the date of opening of bids.

Sixth: The Bidder hereby certifies, to the best of its knowledge and belief that: the Bidder has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of competitive bidding in connection with its bid, and its subsequent contract with the Department.

IN WITNESS WHEREOF, the Contractor, for itself, its successors and assigns, hereby execute two duplicate originals of this Agreement and thereby binds itself to all covenants, terms, and obligations contained in the Contract Documents

Date

(Witness Sign Here)
Witness

CONTRACTOR
(Sign Here)

(Signature of Legally Authorized Representative
of the Contractor)

(Print Name Here)
(Name and Title Printed)

G. Award.

Your offer is hereby accepted.
documents referenced herein.

This award consummates the Contract, and the

MAINE DEPARTMENT OF TRANSPORTATION

Date

By: David A. Cole, Commissioner

(Witness)

BOND # _____

CONTRACT PERFORMANCE BOND
(Surety Company Form)

KNOW ALL MEN BY THESE PRESENTS: That _____
_____ **and the State of** _____, as principal,
and _____,
a corporation duly organized under the laws of the State of _____ and having a
usual place of business _____,
as Surety, are held and firmly bound unto the Treasurer of the State of Maine in the sum
of _____ **and 00/100 Dollars (\$** _____ **)**,
to be paid said Treasurer of the State of Maine or his successors in office, for which
payment well and truly to be made, Principal and Surety bind themselves, their heirs,
executors and administrators, successors and assigns, jointly and severally by these
presents.

The condition of this obligation is such that if the Principal designated as Contractor in
the Contract to construct Project Number _____ in the Municipality of _____
promptly and faithfully performs the Contract, then this
obligation shall be null and void; otherwise it shall remain in full force and effect.

The Surety hereby waives notice of any alteration or extension of time made by the State
of Maine.

Signed and sealed this _____ day of _____, 20_____.

WITNESSES:

Signature.....

Print Name Legibly

Signature

Print Name Legibly

SURETY ADDRESS:

.....

.....

.....

TELEPHONE.....

SIGNATURES:

CONTRACTOR:

.....

Print Name Legibly

SURETY:

.....

Print Name Legibly

NAME OF LOCAL AGENCY:

ADDRESS

.....

.....

.....

BOND # _____

CONTRACT PAYMENT BOND
(Surety Company Form)

KNOW ALL MEN BY THESE PRESENTS: That _____
_____ **and the State of** _____, as principal,
and _____
a corporation duly organized under the laws of the State of _____ and having a
usual place of business in _____,
as Surety, are held and firmly bound unto the Treasurer of the State of Maine for the use
and benefit of claimants as herein below defined, in the sum of
_____ **and 00/100 Dollars (\$** _____ **)**
for the payment whereof Principal and Surety bind themselves, their heirs, executors and
administrators, successors and assigns, jointly and severally by these presents.

The condition of this obligation is such that if the Principal designated as Contractor in
the Contract to construct Project Number _____ in the Municipality of
_____ promptly satisfies all claims and demands incurred for all
labor and material, used or required by him in connection with the work contemplated by
said Contract, and fully reimburses the obligee for all outlay and expense which the
obligee may incur in making good any default of said Principal, then this obligation shall
be null and void; otherwise it shall remain in full force and effect.

A claimant is defined as one having a direct contract with the Principal or with a
Subcontractor of the Principal for labor, material or both, used or reasonably required for
use in the performance of the contract.

Signed and sealed this _____ day of _____, 20 .. .

WITNESS:

SIGNATURES:

CONTRACTOR:

Signature.....

Print Name Legibly

SURETY:

Signature.....

Print Name Legibly

SURETY ADDRESS:

NAME OF LOCAL AGENCY:

ADDRESS

.....

TELEPHONE

SPECIAL PROVISION PARTNERING

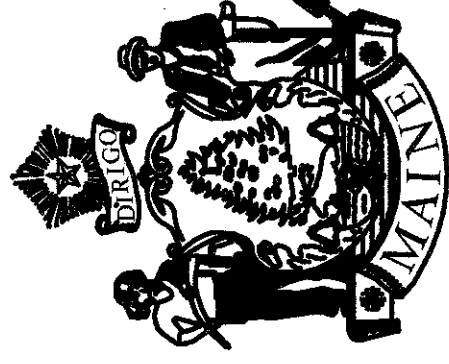
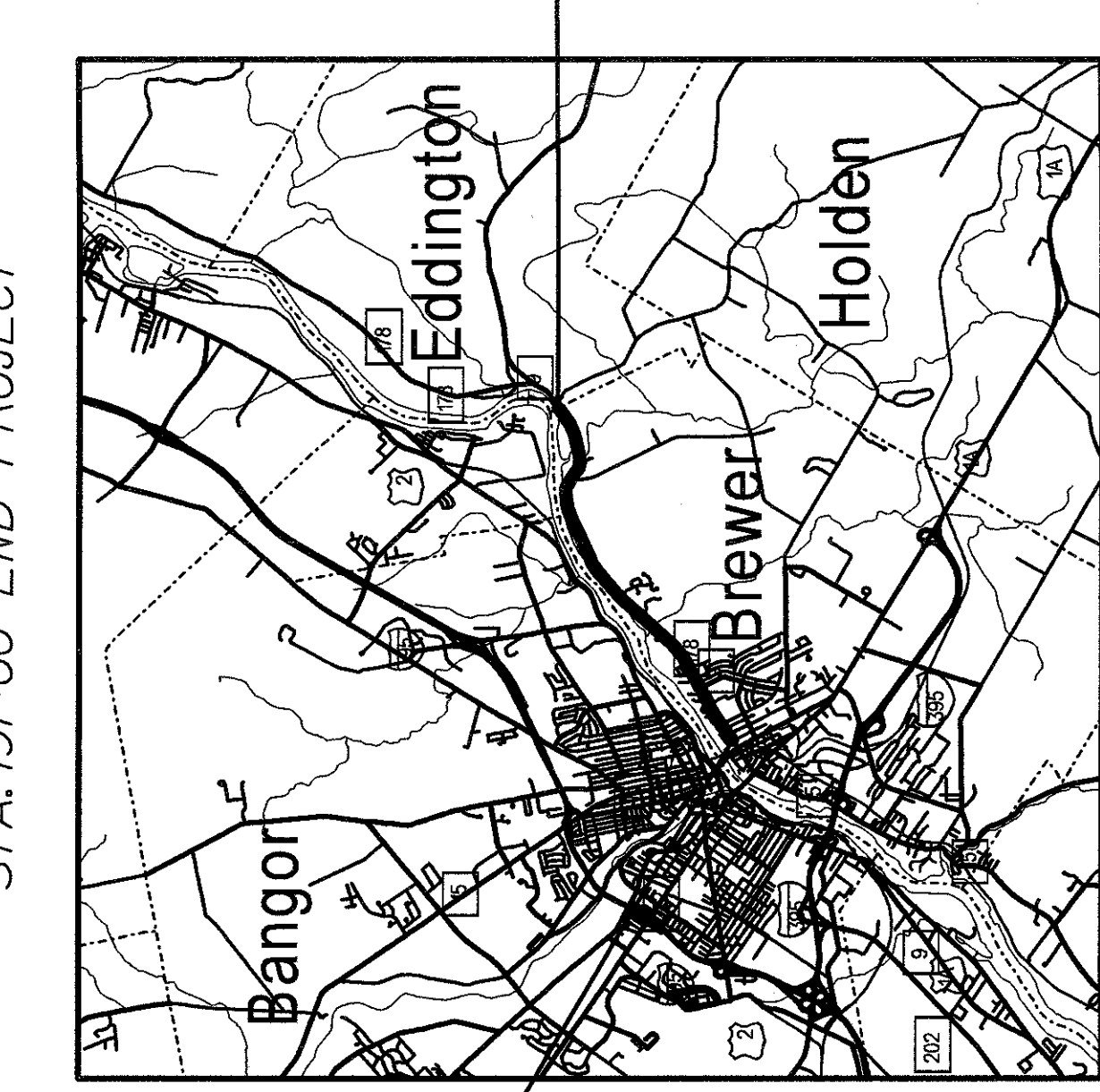
The successful bidder will have the opportunity to enter into a cooperative partnership agreement with the State Department of Transportation for the contract. The objective of this agreement is the effective completion of the work on time and to the standard of quality that will be a source of pride to both the State and the Contractor. The partnering agreement will not affect the terms of the contract. It is intended only to establish an environment of cooperation between the parties. If the partnering agreement is accepted.

1. Contractor shall select and provide a third-party facilitator to conduct the team building workshop for the Contractor and Department personnel. Facilitator selection shall require Department concurrence. The cost for the facilitator and his associated expenses will be shared equally by the Department on the next monthly estimate, following receipt of invoice(s) from the Contractor, on an extra work basis.
2. Contractor and Department will exchange lists of the key personnel to be participants in the workshop. The list will contain the name and job title of each person, a contact phone number, and the address for job related correspondence.
3. The Contractor shall select the location and make all arrangements for space as required by facilitator, and for any meals required. This cost to be shared equally.
4. A working arrangement for the partnership will be agreed upon in writing at the workshop. The arrangement will set out the mutually recognized goals and expectation of the parties.
5. The Contractor and the Department agree to make an effort to maintain identified key personnel assigned to the work for its duration. A timely notice by each shall be given if changes by either must be made.
6. Project issues shall be processed in the manner agreed upon by the parties during the orientation.
7. Follow-up workshops may be held periodically throughout the duration of the contract as agreed by the Contractor and the Department.
8. The Partnering Agreement is not intended to be a legal document. Failure by either party to follow the process identified will not be grounds for any claim under the contract.
9. ARE YOU INTERESTED IN THIS OPPORTUNITY? YES _____ NO _____

STATE OF MAINE
DEPARTMENT OF TRANSPORTATION

NH-1139(800)E

STA. 0+00 BEGIN PROJECT
STA. 197+00 END PROJECT



BREWER
PENOBSCOT COUNTY

ROUTE 9

NH-1139(800)E

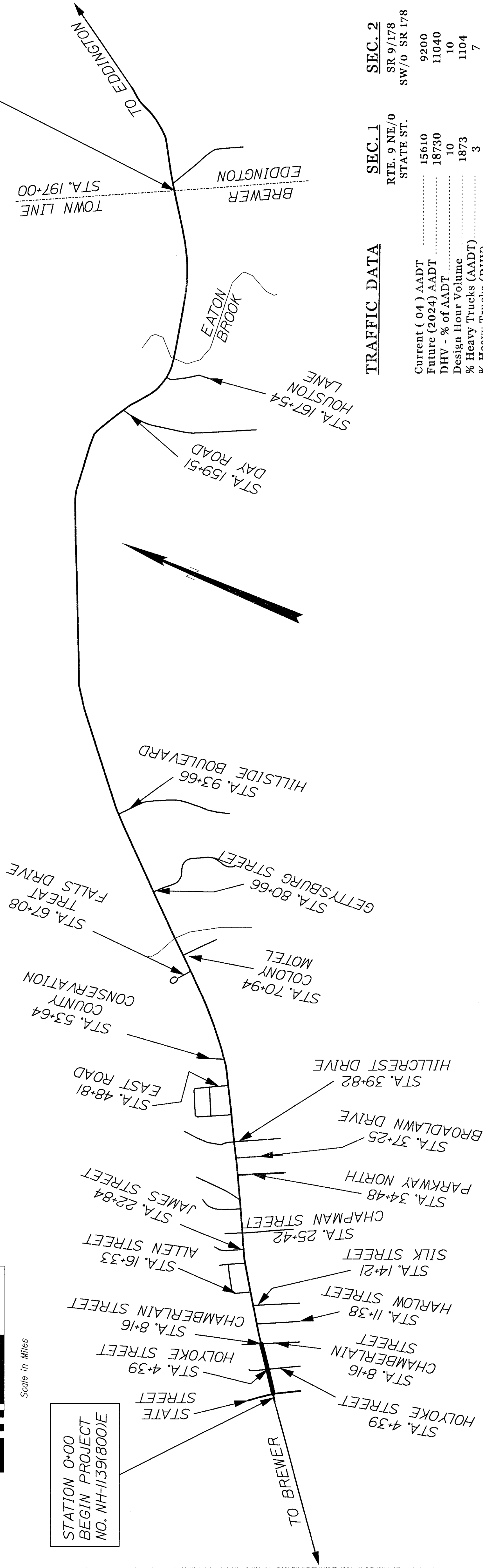
PROJECT LENGTH: 3.73 mi.
LEVEL 2 HIGHWAY RESURFACING

LOCATION MAP



Scale in Miles

STATION 0+00
BEGIN PROJECT
NO. NH-1139(800)E



TRAFFIC DATA

	SEC. 1	SEC. 2
	RTE. 9 NE/O	SR 9/178
	STATE ST.	SW/O SR 178
Current (04) AADT	15610	9200
Future (2024) AADT	18730	11040
DHV - % of AADT	10	10
Design Hour Volume	1873	1104
% Heavy Trucks (AADT)	3	7
% Heavy Trucks (DHV)	4	5
Directional Distribution (DHV)	50	62
18 kip Equivalent P 2.0	712	664
18 kip Equivalent P 2.5	678	632
Design Speed (mph)	AS POSTED	AS POSTED

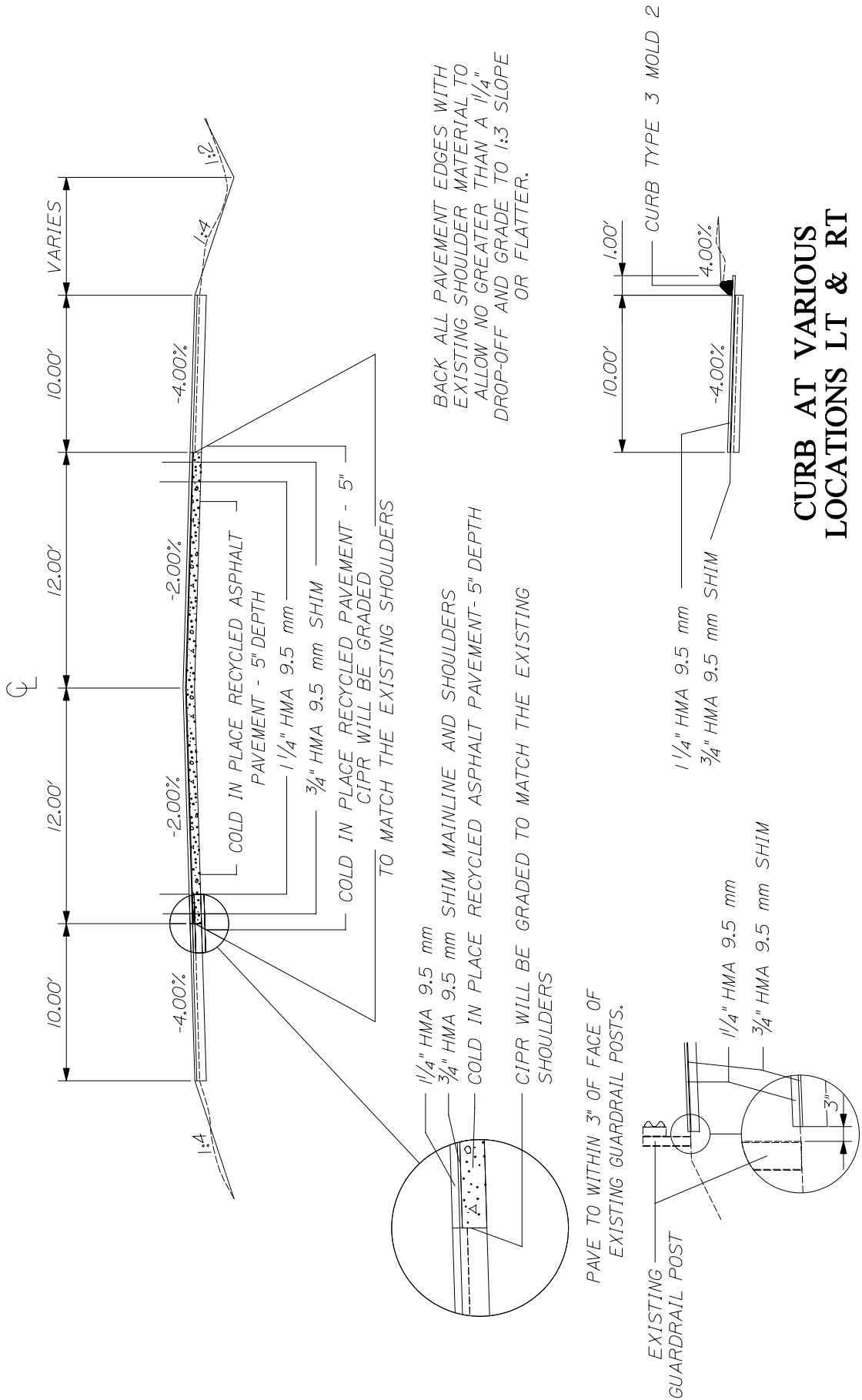
LEVEL 2 - SHIM & 1 1/4" HOT MIX ASPHALT OVERLAY,
3/4" SHIM & 1 1/4" HOT MIX ASPHALT OVER COLD IN
PLACE RECYCLED ASPHALT PAVEMENT (5")
SAFETY & DRAINAGE IMPROVEMENTS

PROJECT INFORMATION	PROGRAM REGIONAL	PROJECT MANAGER JANS PIPER	DESIGNER TROY DEVORE	CONSULTANT	PROJECT RESIDENT	CONTRACTOR	PROJECT COMPLETION DATE OCTOBER 22, 2005
STATE OF MAINE JANIS PIPER REGISTERED PROFESSIONAL ENGINEER NO. 0480 DATE 3/10/05							
COMMISSIONER: [Signature]							
APPROVED: [Signature]							
DATE 3/10/05							

BREWER ROUTE 9		TITLE SHEET	
SHEET NUMBER 1		OF 1	

NH-1139(800)E PIN 11398.00

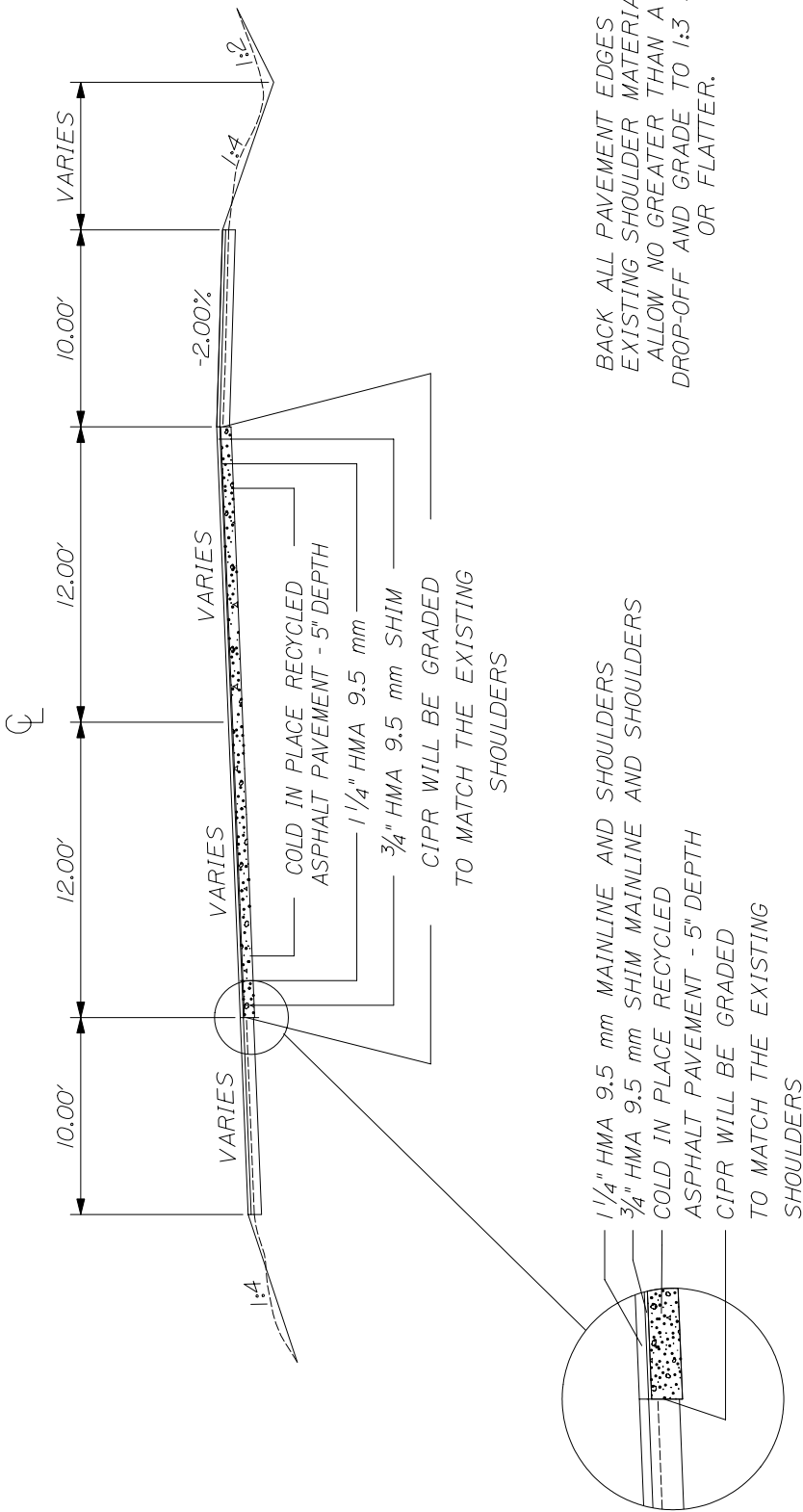
COLD IN PLACE RECYCLED ASPHALT PAVEMENT - 5" DEPTH



EXISTING GUARDRAIL AT
VARIOUS LOCATIONS LT & RT

NOTE: NOT TO SCALE

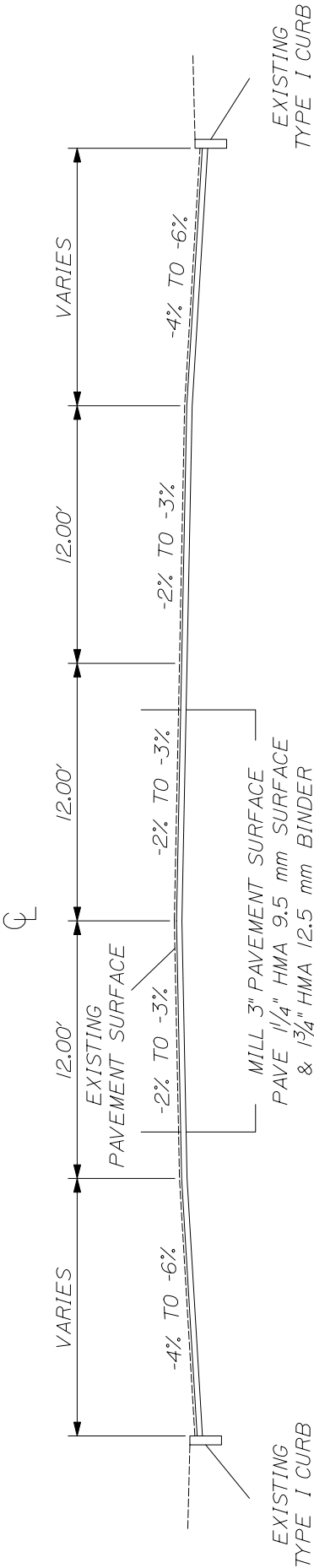
COLD IN PLACE RECYCLED ASPHALT PAVEMENT - 5" DEPTH
SUPERELEVATED



NOTE: NOT TO SCALE

STATE OF MAINE DEPARTMENT OF TRANSPORTATION	BREWER ROUTE 9 PENOBSCOT COUNTY	SHEET NUMBER 2
11398.00	TYPICALS	OF 6

MILL 3" PAVEMENT SURFACE
PAVE 3" HMA 9.5 mm
NORMAL

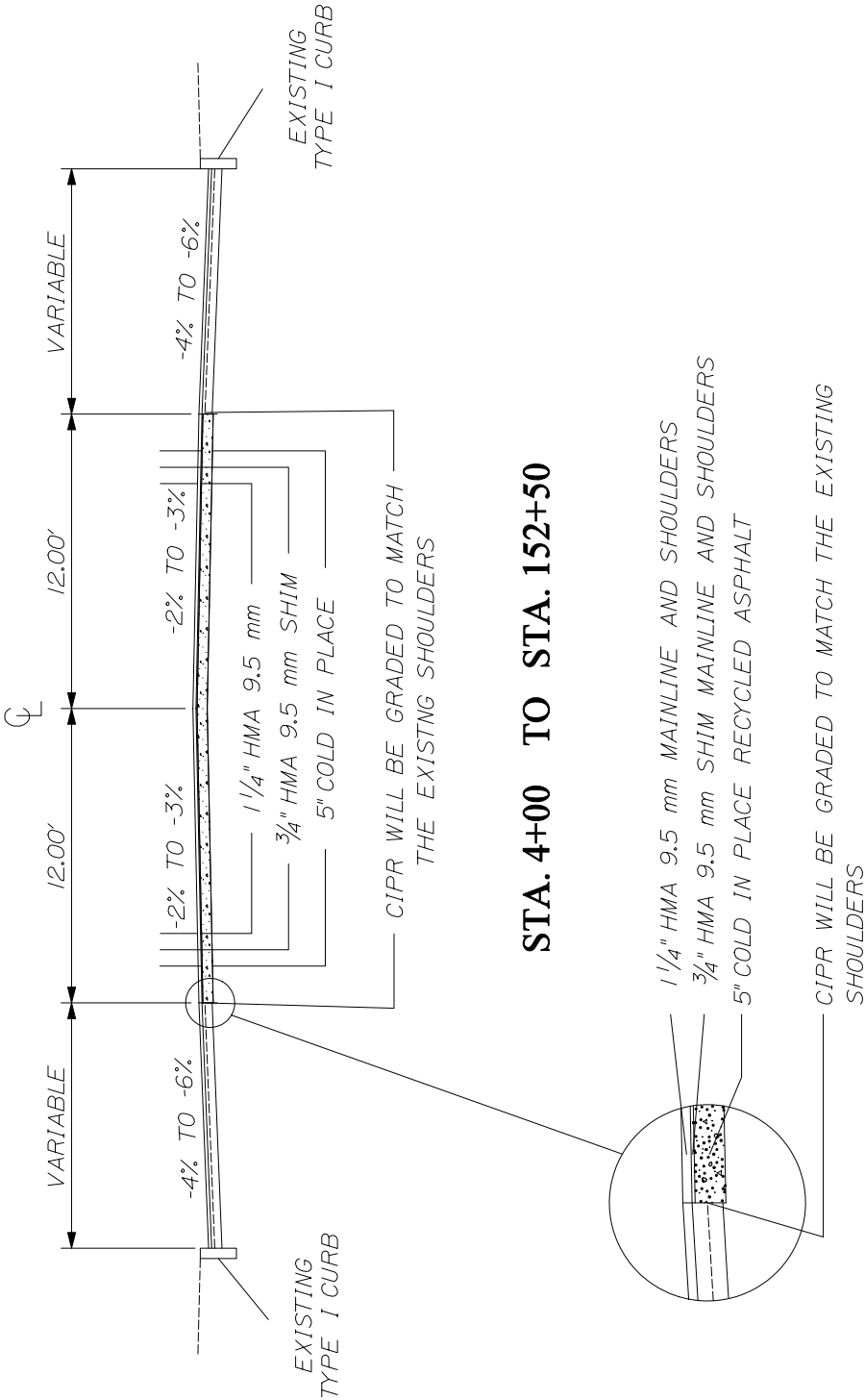


STA. 0+00 TO STA. 4+00

NOTE: NOT TO SCALE

STATE OF MAINE DEPARTMENT OF TRANSPORTATION	BREWER ROUTE 9 PENOBSCOT COUNTY	SHEET NUMBER 3
11398.00	TYPICALS	OF 6

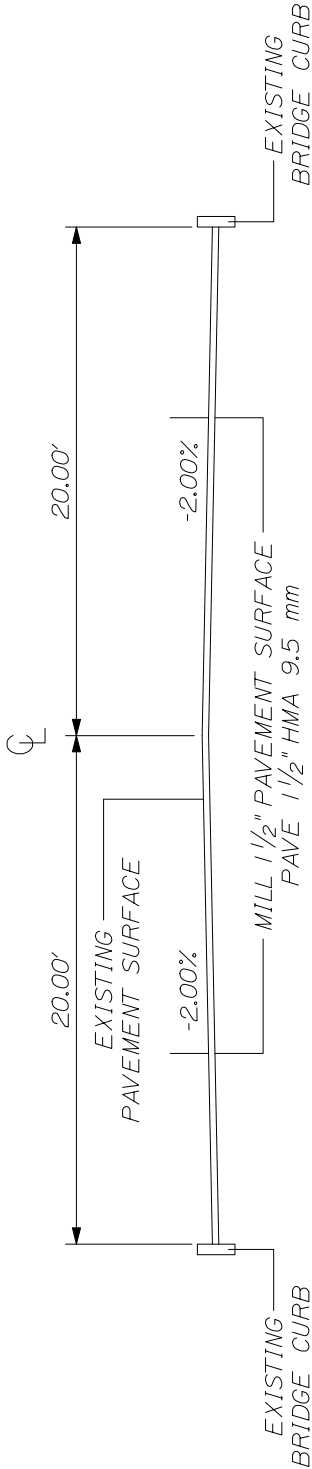
COLD IN PLACE RECYCLED ASHALT PAVEMENT - 5" DEPTH
NORMAL



STA. 4+00 TO STA. 152+50

NOTE: NOT TO SCALE

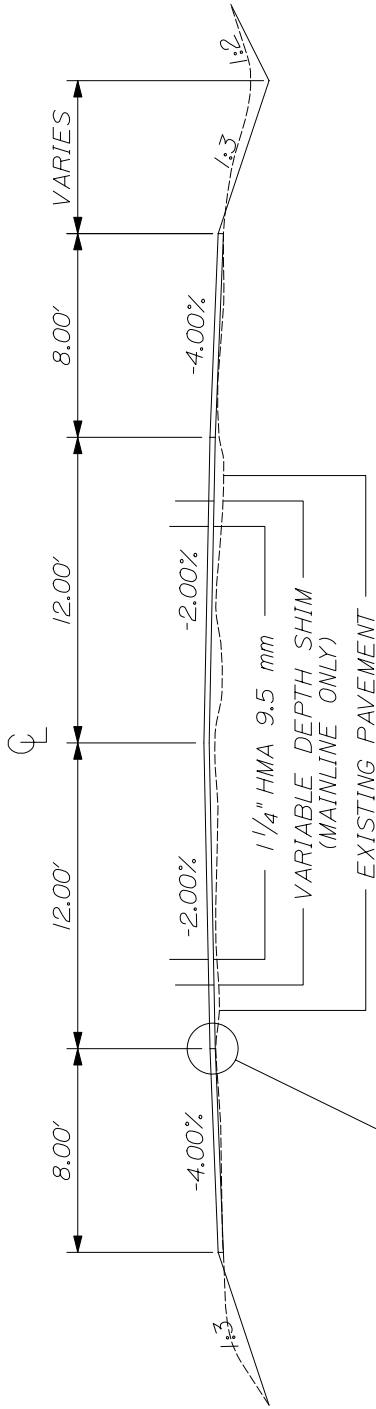
MILL EXISTING BRIDGE DECK SURFACE 1-1/2"
1-1/2" HOT MIX ASPHALT OVERLAY



STA. 169+33 TO STA. 169+74

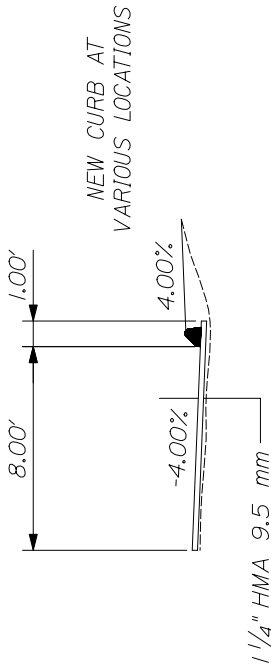
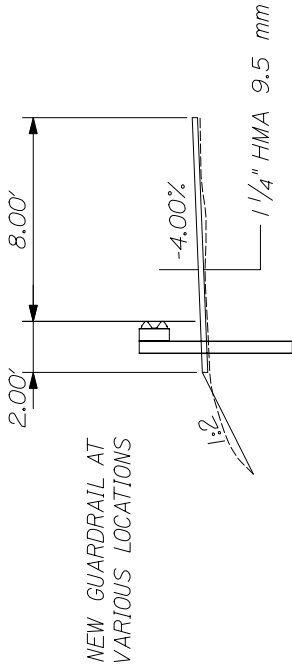
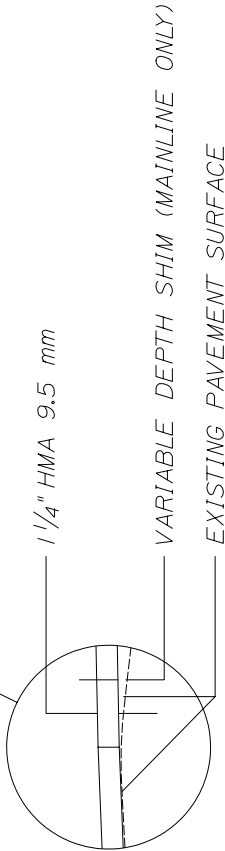
NOTE: NOT TO SCALE

VARIABLE DEPTH SHIM (MAINLINE ONLY) & 1-1/4" HOT MIX ASPHALT OVERLAY



STA. 152+50 TO STA. 169+33
STA. 169+74 TO STA. 197+00

BACK ALL PAVEMENT EDGES WITH
EXISTING SHOULDER MATERIAL TO
ALLOW NO GREATER THAN A 1/4"
DROP-OFF AND GRADE TO 1:3 SLOPE
OR FLATTER.



NOTE: NOT TO SCALE

Project Stationing

Brewer
NH-1139(800)E
Route 9, Level 2

Lt	Station	Rt
End Project	197+00	End Project
	167+54	Houston Lane
	159+51	Day Rd.
Public Boat Landing	128+47	
N. Brewer Pumping Station	113+42	
	93+66	Hillside Blvd.
	80+66	Gettysburg St.
	70+94	Colony Motel
Treats Falls Dr.	67+08	
Penobscot County Conservation	53+64	
East Rd.	48+81	
West Rd.	44+46	

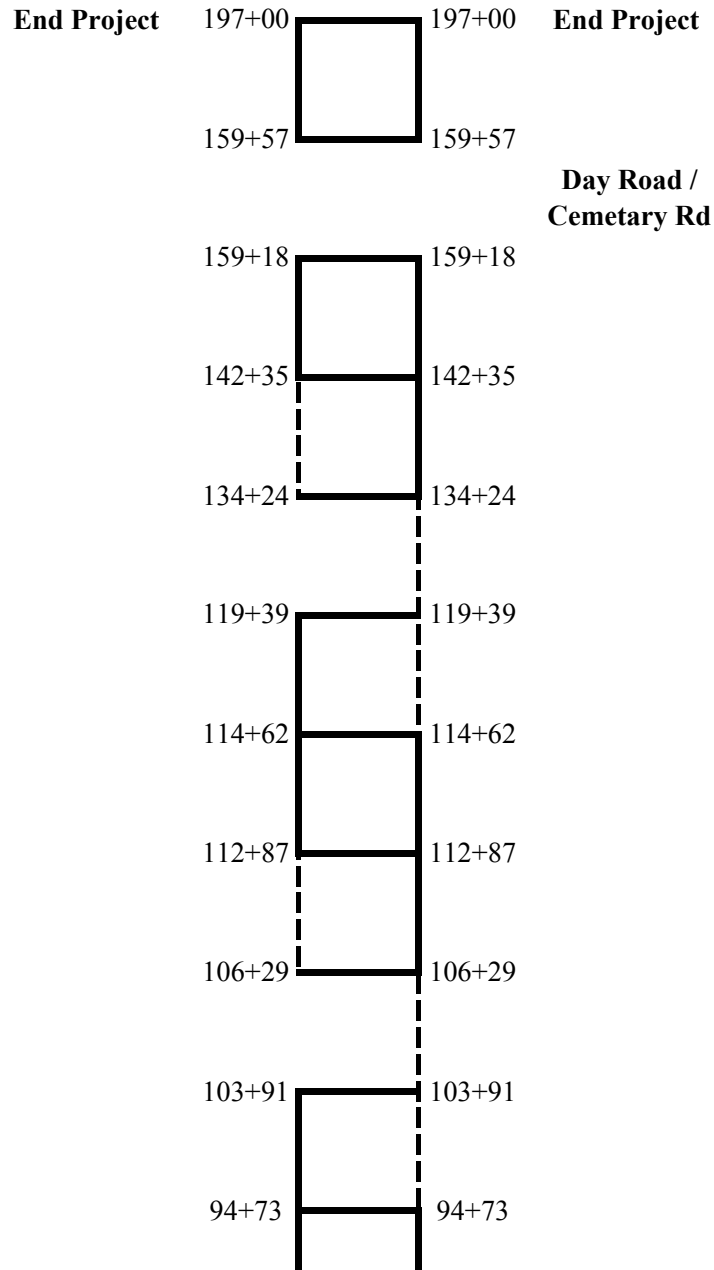
Project Stationing

**Brewer
NH-1139(800)E
Route 9, Level 2**

Lt	Station	Rt
	39+82	Hillcrest Dr.
	37+25	Broadlawn Dr.
	34+48	Parkway North
Riverview Terrace	25+51	
	25+42	Chapman St.
James St.	22+84	
	21+30	North Brewer Shopping Center
Allen St.	16+33	
	14+21	Silk St.
	11+38	Harlow St.
Chamberlain St.	8+16	Chamberlain St.
Holyoke St.	4+39	Holyoke St.
Begin Project	0+00	Begin Project

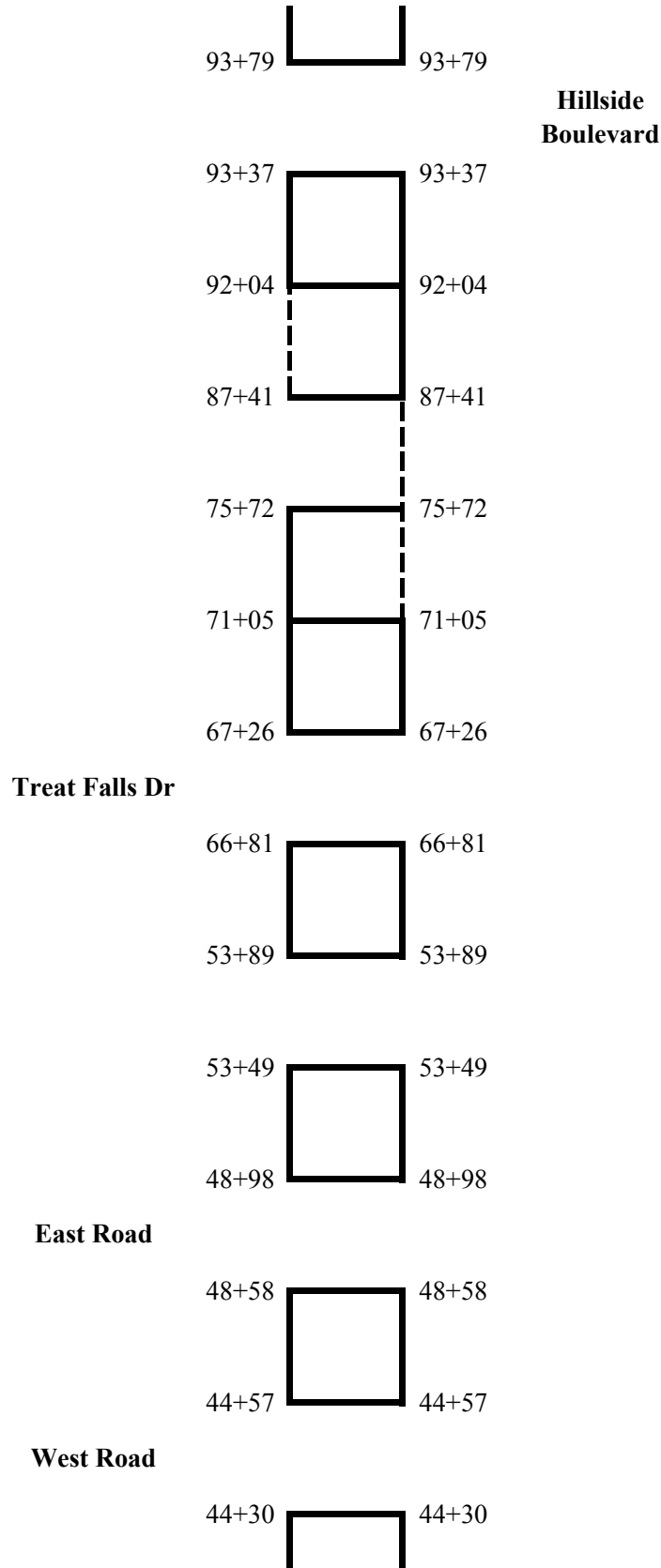
Project Striping

Brewer
NH-1139(800)E
Route 9 - Level 2



Project Striping

Brewer
NH-1139(800)E
Route 9 - Level 2

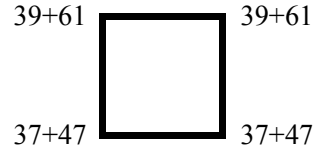


Project Striping

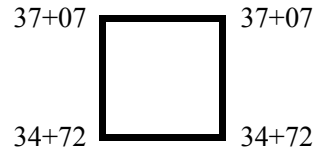
Brewer
NH-1139(800)E
Route 9 - Level 2



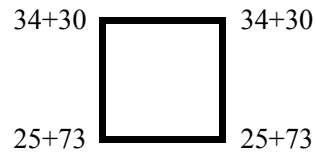
Hillcrest Dr.



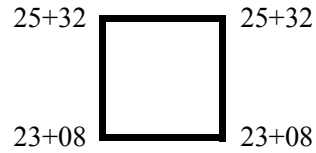
Broadlawn Dr.



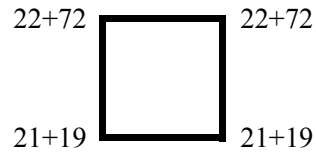
Parkway North



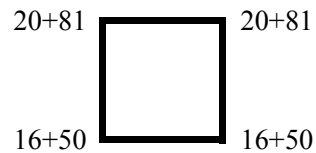
Chapman St



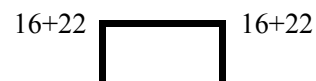
James St



Gilmore St



Allen St

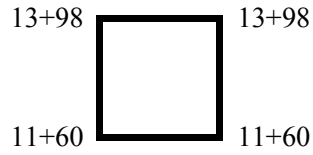


Project Striping

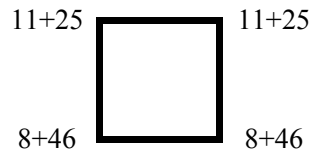
Brewer
NH-1139(800)E
Route 9 - Level 2



Silk St

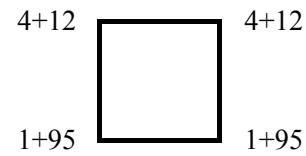
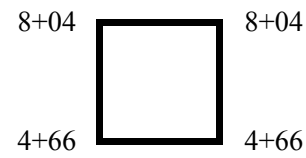


Harlow St



Chamberlain St

Chamberlain St



Begin Project

0+00

0+00

Begin Project

Superelevations

Brewer
STP-1139(800)X
Route 9, Level II

	Left Match Existing	Station 197+00	Right Match Existing	
	"	196+50	"	
	-2.0%	194+00	-2.0%	
	-2.0%	193+50	-0.9%	
	-2.0%	193+00	0.2%	
	-2.0%	192+50	1.3%	
End full super	-2.4%	192+00	2.4%	End full super
	"	"	"	
Start full super	-2.4%	180+00	2.4%	Start full super
	-2.0%	179+50	1.3%	
	-2.0%	179+00	0.2%	
	-2.0%	178+50	-0.9%	
	-2.0%	178+00	-2.0%	
	"	"	"	
	-2.0%	172+00	-2.0%	
	-2.0%	171+50	-0.4%	
	-2.0%	171+00	1.2%	
	-2.8%	170+50	2.8%	
End full super	-4.4%	170+00	4.4%	End full super
	"	"	"	
Start full super	-4.4%	164+50	4.4%	Start full super
	-2.8%	164+00	2.8%	
	-2.0%	163+50	1.2%	

Superelevations

Brewer
STP-1139(800)X
Route 9, Level II

	Left	Station	Right	
	-2.0%	163+00	-0.4%	
	-2.0%	162+50	-2.0%	
	0.0%	162+00	-2.0%	
End full super	2.0%	161+50	-2.0%	End full super
	"	"	"	
Start full super	2.0%	158+00	-2.0%	Start full super
	0.0%	157+50	-2.0%	
	-2.0%	157+00	-2.0%	
	-0.4%	156+50	-2.0%	
	1.3%	156+00	-2.0%	
	3.0%	155+50	-3.0%	
End full super	4.6%	155+00	-4.6%	End full super
	"	"	"	
Start full super	4.6%	152+50	-4.6%	Start full super
	3.0%	152+00	-3.0%	
	1.3%	151+50	-2.0%	
	-0.4%	151+00	-2.0%	
	-2.0%	150+50	-2.0%	
	"	"	"	
	-2.0%	147+00	-2.0%	
	-0.7%	146+50	-2.0%	
	0.6%	146+00	-2.0%	

Superelevations

Brewer
STP-1139(800)X
Route 9, Level II

	Left	Station	Right	
End full super	2.0%	145+50	-2.0%	End full super
	"	"	"	
Start full super	2.0%	142+50	-2.0%	Start full super
	0.6%	142+00	-2.0%	
	-0.7%	141+50	-2.0%	
	-2.0%	141+00	-2.0%	
	"	"	"	
	-2.0%	116+50	-2.0%	
	-0.5%	116+00	-2.0%	
	1.0%	115+50	-2.0%	
	2.5%	115+00	-2.5%	
End full super	4.1%	114+50	-4.1%	End full super
	"	"	"	
Start full super	4.1%	111+50	-4.1%	Start full super
	2.5%	111+00	-2.5%	
	1.0%	110+50	-2.0%	
	-0.5%	110+00	-2.0%	
	-2.0%	109+50	-2.0%	
	"	"	"	
	-2.0%	96+50	-2.0%	
	-0.5%	96+00	-2.0%	
	1.0%	95+50	-2.0%	
End full super	2.5%	95+00	-2.5%	End full super

Superelevations

Brewer
STP-1139(800)X
Route 9, Level II

	Left	Station	Right	
	"	"	"	
Start full super	2.5%	92+50	-2.5%	Start full super
	1.0%	92+00	-2.0%	
	-0.5%	91+50	-2.0%	
	-2.0%	91+00	-2.0%	
	"	"	"	
	-2.0%	54+50	-2.0%	
	-2.0%	54+00	-0.7%	
	-2.0%	53+50	0.6%	
End full super	-2.0%	53+00	2.0%	End full super
	"	"	"	
Start full super	-2.0%	49+00	2.0%	Start full super
	-2.0%	48+50	0.6%	
	-2.0%	48+00	-0.7%	
	-2.0%	47+50	-2.0%	
	"	"	"	
	-2.0%	01+50	-2.0%	
Match Existing		01+00	Match Existing	

Construction Notes

Brewer
NH-1139(800)E
Route 9, Level 2

Item 202.202 Removing Pavement Surface

The mill and fill will begin at the concrete pads on the west side of the intersection, which is approx 100 ft before Rt. 9. We will mill from the concrete pads, station 0+00, through the intersection to 4+00, at a depth of 3", and from station 169+33 to 169+74 (Bridge deck) at a depth of 1 1/2". Excess millings will be stockpiled at Whiting Hill, as directed by the Resident. Millings to be used in PMRAP if option is chosen on PIN 11576.00

Item 202.203 Pavement Butt Joints

Grind butt joints on all paved drives, entrances, bridge decks, side roads and at the end of the project, as directed by the Resident.

Item 211.20 Inslope Excavation

Station		Left	Station		Right
31+83	to	34+74	54+96	to	55+45
40+09	to	43+09	77+87	to	80+27
62+63	to	64+14	80+94	to	81+64
72+83	to	77+42	104+78	to	105+66
77+64	to	79+12	154+52	to	155+21
79+35	to	81+31	180+28	to	181+65
81+42	to	81+95	182+08	to	183+03
82+26	to	83+04	186+86	to	187+68
106+93	to	115+75	187+88	to	188+81
116+07	to	116+67	189+11	to	191+10
118+26	to	122+15			
126+56	to	128+15			
128+52	to	128+73			
137+29	to	138+00			
138+34	to	140+10			
142+00	to	142+90			
171+73	to	172+16			
173+44	to	174+10			
187+23	to	187+92			
188+69	to	189+56			

Note: Stations are approximate. Precise locations will be determined in the field by the Resident. Any clearing required is incidental to this item.

Construction Notes

Brewer
NH-1139(800)E
Route 9, Level 2

Item 211.22 Inslope Excavation Behind Guardrail

Station		Left	Station		Right
54+00	to	56+68	53+00	to	54+79
70+85	to	72+82	71+26	to	72+71
91+77	to	106+53	106+71	to	111+25
145+31	to	154+94	167+83	to	169+33
169+76	to	171+71			

Note: Stations are approximate. Precise locations will be determined in the field by the Resident. Any clearing required is incidental to this item.

Item 211.30 Ditch Excavation

Station		Left	Station		Right
31+06	to	31+83	55+94	to	57+50
35+30	to	39+79	57+72	to	57+92
59+00	to	62+16	58+27	to	59+03
83+26	to	84+46	59+41	to	61+98
84+86	to	85+37	62+36	to	63+67
85+64	to	86+10	73+75	to	75+31
86+30	to	87+41	75+67	to	75+92
155+14	to	156+41	76+11	to	77+15
172+16	to	172+25	77+36	to	77+87
180+12	to	180+88	81+98	to	83+98
181+69	to	182+44	84+13	to	86+02
182+65	to	182+88	86+30	to	88+18
183+06	to	183+54	88+48	to	89+12
185+00	to	185+77	89+40	to	90+11
186+08	to	187+23	97+56	to	99+10
			99+29	to	100+18
			100+35	to	101+57
			102+08	to	103+49
			103+89	to	104+78
			165+33	to	165+86
			166+15	to	167+13
			170+63	to	171+19
			172+02	to	173+87
			194+03	to	195+05
			195+39	to	197+00

Note: Stations are approximate. Precise locations will be determined in the field by the Resident. Any clearing required is incidental to this item.

Construction Notes

Brewer
NH-1139(800)E
Route 9, Level 2

Item 304.103 Aggregate Subbase Course – Gravel (Truck Measure)

To regrade sidewalks in various locations as directed. Approx. 3700 lf (to be paved by the city of Brewer). Also to be used to rebuild 2-3 ADA sidewalk ramps and bring driveways to grade. Payment for HMA on ADA ramps made under item 403.209. HMA on sidewalks to be done by the city of Brewer. 350 cy est.

Item 310.35 Cold In Place Recycled Asphalt Pavement (Travelling Pug Mill) 5"

Station		Station	Width (Ft)
04+00	to	152+50	24

Note: CIPR treatment will be applied to each 12 ft lane as directed by Resident. All excess material will be stock piled at Whiting Hill.

Item 403.209 Hot Mix Asphalt 9.5 mm (Incidentals)

183 Paved Drives
14 Gravel Drives w/ Paved Aprons (3 Ft)

Note: Approximate stations are available upon request to Region 4 office.

Item 411.10 Untreated Aggregate Surface Crs, Truck Measure

Note: This item will be used to back up paved aprons on gravel driveways and as directed by Resident.

Item 603.16 15" Culvert Pipe Option I (driveway culverts)

Station	Side	Approx. Length (Ft)	Station	Side	Approx. Length (Ft)
53+80	Lt.	40	62+20	Rt.	34
56+75	Lt.	40	77+21	Rt.	30
84+66	Lt.	40	88+33	Rt.	30
159+55	Lt.	10	89+25	Rt.	30
169+00	Lt.	70	103+69	Rt.	40
183+74	Lt.	40	167+45	Rt.	60
			174+00	Rt.	30
			181+83	Rt.	30

Item 603.17 18" Culvert Pipe Option I

Station	Side	Approx. Length (Ft)
174+18	Lt.	74

Construction Notes

Brewer
NH-1139(800)E
Route 9, Level 2

Item 603.179 18" Culvert Pipe Option III

Station	Side	Approx. Length (Ft)
57+85	x-pipe	209
63+11	x-pipe	78
114+22	x-pipe	62
125+87	x-pipe	40
133+00	x-pipe	46
135+00	x-pipe	40
137+45	x-pipe	54
142+65	x-pipe	68
151+89	x-pipe	62
172+00	x-pipe	78

Item 603.199 24" Culvert Pipe Option III

Station	Side	Approx. Length (Ft)
33+41	x-pipe	116
78+00	x-pipe	78
97+52	x-pipe	74
107+89	x-pipe	45
150+53	x-pipe	52

Item 604.161 Altering Catch-basin

Station	Side
107+93	Rt.

Item 604.164 Rebuild Catchbasin

Station	Side	Comments
04+74	Rt.	
25+20	Rt.	adjust header
133+00	Rt.	
135+00	Rt.	Storm-water Manhole

Item 604.18 Adjust Catch-basin and Manhole To Grade

Station	Side	Station	Side	Notes
01+15	Lt.	01+10	Rt.	
01+33	Lt.	08+45	Rt.	
02+87	Lt.	11+63	Rt.	Adjust Header
04+17	Lt.	20+64	Rt.	Adjust Header
04+68	Lt.	25+67	Rt.	Adjust Header
07+93	Lt.	28+42	Rt.	Adjust Header
08+49	Lt.	33+26	Rt.	Adjust Header
11+55	Lt.	36+00	Rt.	Adjust Header

Construction Notes

Brewer
NH-1139(800)E
Route 9, Level 2

Item 604.18 Adjust Catch-basin and Manhole To Grade Cont'd

16+43	Lt.	40+28	Rt.	Adjust Header
20+64	Lt.	44+41	Rt.	Adjust Header
22+56	Lt.	65+95	Rt.	
25+23	Lt.	69+70	Rt.	
25+72	Lt.	114+20	Rt.	
28+42	Lt.	120+15	Rt.	
44+60	Lt.	125+89	Rt.	
53+43	Lt.	128+48	Rt.	
157+47	Lt.	137+46	Rt.	
159+57	Lt.	146+39	Rt.	
168+26	Lt.	150+54	Rt.	
174+90	Lt.	151+89	Rt.	
193+15	Lt.	157+33	Rt.	
194+52	Lt.	159+59	Rt.	
195+33	Lt.	175+09	Rt.	
196+68	Lt.			

Item 606.1731 Bridge Connection Type 1

Station	Side	Station	Side
169+33	Lt.	169+44	Rt.
169+76	Lt.	169+76	Rt.

Item 606.178 Guardrail Beam

Used in various locations to replace existing damaged beams as directed by Resident

Item 606.23 Guardrail Type 3C – Single Rail

Station	Station	Side	Estimated # of sections
53+79	54+49	Lt.	6
55+98	56+60	Lt.	5
70+73	71+09	Lt.	3
72+59	73+00	Lt.	3
91+77	93+70	Lt.	15
98+16	100+90	Lt.	22
145+17	145+66	Lt.	4
154+61	154+99	Lt.	3
168+51	168+89	Lt.	3
171+32	172+25	Lt.	7
54+65	55+61	Rt.	8
71+26	71+63	Rt.	3
72+37	72+71	Rt.	3
110+61	111+25	Rt.	5

Construction Notes

Brewer
NH-1139(800)E
Route 9, Level 2

Item 606.231 Guardrail Type 3c -15 ft Radius and Less

167+82 left 30 lf
As directed by the Resident 90 lf

Item 606.265 Terminal End - Single Rail - Galvanized Steel

167+82 left 1 ea
As directed by the Resident 3 ea

Item 606.35 Guardrail Delineator Post

As directed by the Resident

Item 606.367 Replace Unusable Existing Guardrail Post

As directed by the Resident

Item 606.47 Single Wood Post

To replace mailbox posts as directed by Resident

Item 606.754 Widen Shoulder For 350 Flare

Station Left	Station Right
54+49	54+65
55+98	71+63
71+09	72+37
72+59	106+71
93+70	145+66
106+53	168+89
110+53	
154+61	
171+32	

Note: These stations are approximate. Exact locations to be determined in the field by the Resident.

Item 606.79 Guardrail 350 Flared Terminal

Station Left	Station Right
54+49	54+65
55+98	71+63
71+09	72+37
72+59	106+71
93+70	145+66
106+53	168+89

Construction Notes

Brewer
NH-1139(800)E
Route 9, Level 2

Item 606.79 Guardrail 350 Flared Terminal - Contued

Station Left	Station Right
110+53	
154+61	
171+32	

Note: These stations are approximate. Exact locations to be determined in the field by the Resident.

Item 608.26 Curb Ramp Detectable Warning Field

Station	Side	# Needed
4+59	Rt / Lt	2
8+15	Rt / Lt	2
8+29	Rt / Lt	2
11+40	Rt / Lt	2
14+22	Rt / Lt	2
23+00	Rt / Lt	2
25+37	Rt / Lt	2
30+51	Rt / Lt	2
34+46	Rt / Lt	2
37+26	Rt / Lt	2
39+79	Rt / Lt	2

Note: These stations are approximate. Exact locations to be determined in the field by the Resident

Item 609.31 Curb Type 3

Station		Left	Notes	Station		Right	Notes
43+09	to	44+30	New	63+67	to	65+97	Replace
44+52	to	45+10	New	69+28	to	69+89	Replace
45+24	to	45+32	New	70+02	to	70+70	Replace
45+47	to	46+41	New	72+99	to	73+57	New
46+65	to	48+56	Replace	90+40	to	91+26	New
56+91	to	57+48	New	91+43	to	93+36	New
57+62	to	57+83	New	93+85	to	94+10	New
58+29	to	59+00	New	94+38	to	97+56	New
64+46	to	66+85	New	111+65	to	112+46	New
67+17	to	67+80	New	113+70	to	114+52	Replace
68+20	to	68+60	New	114+67	to	116+39	Replace
69+28	to	70+44	Replace	116+51	to	117+06	Replace
.87+80	to	88+56	New	117+36	to	117+89	Replace
88+72	to	89+47	New	118+24	to	120+25	New
89+71	to	91+53	New	126+86	to	127+90	Replace
108+96	to	110+72	Curb Island	128+02	to	128+52	Replace

Construction Notes

Brewer
NH-1139(800)E
Route 9, Level 2

Item 609.31

Curb Type 3 - Continued

Station		Left	Notes	Station		Right	Notes
116+67	to	117+27	New	128+64	to	129+40	Replace
117+65	to	118+26	New	129+55	to	130+52	Replace
122+32	to	122+44	New	130+67	to	131+68	Replace
122+63	to	124+52	New	131+81	to	135+04	Replace
124+78	to	124+89	New	133+69	to	134+75	New
125+14	to	125+84	New	135+44	to	135+85	Replace
126+11	to	126+56	New	136+24	to	139+21	Replace
128+89	to	129+88	New	139+58	to	141+78	Replace
129+88	to	130+64	Replace	141+92	to	142+52	Replace
130+86	to	131+47	New	144+12	to	144+52	Replace
131+60	to	132+11	New	144+72	to	146+43	Replace
132+46	to	133+07	New	150+28	to	151+33	Replace
133+20	to	133+99	New	151+54	to	151+88	Replace
134+43	to	135+04	New	152+17	to	153+35	Replace
135+26	to	136+35	Replace	159+48	to	160+34	Replace
136+53	to	137+29	Replace	160+45	to	160+82	Replace
140+82	to	141+24	New	163+34	to	164+50	Replace
156+41	to	157+28	Replace	171+19	to	171+71	New
157+48	to	158+25	Replace	174+09	to	174+33	New
158+43	to	159+06	Replace	176+57	to	176+90	Replace
159+27	to	159+95	Replace	177+14	to	178+27	Replace
160+09	to	160+58	New	178+42	to	179+20	New
160+81	to	161+76	New	179+35	to	179+57	New
161+96	to	162+20	New	179+71	to	180+18	New
162+55	to	163+62	Replace	183+17	to	183+39	New
163+84	to	164+70	Replace	183+53	to	184+44	New
167+20	to	167+70	Replace	184+67	to	184+81	New
167+89	to	168+32	Replace	185+01	to	186+07	New
172+29	to	172+98	New	186+26	to	186+85	New
173+17	to	173+44	New	191+08	to	191+54	New
174+93	to	177+88	Replace	191+72	to	192+49	New
178+11	to	179+82	New	192+68	to	194+03	New
180+88	to	181+37	New				
183+97	to	184+81	New				
187+97	to	188+48	Replace				
191+59	to	192+09	Replace				
193+64	to	193+86	Replace				
195+26	to	195+52	Replace				
196+08	to	196+53	Replace				

Construction Notes

Brewer
NH-1139(800)E
Route 9, Level 2

Item 609.38 Reset Curb Type I

Station		Left	Station		Right
21+55	to	22+17	26+97	to	27+22
22+52	to	22+70	27+38	to	28+11
22+96	to	23+75	28+26	to	29+01
23+94	to	24+52	29+17	to	30+25
24+83	to	25+37	30+45	to	30+92
25+65	to	25+92	31+10	to	34+28
26+32	to	26+44	34+70	to	35+47
26+83	to	27+31	35+62	to	37+09
27+46	to	27+87	37+43	to	39+66
28+07	to	28+84	39+98	to	40+60
29+03	to	29+08	40+78	to	42+01
29+36	to	30+50	42+14	to	42+82
48+92	to	50+00	42+96	to	43+04
50+27	to	53+44	43+20	to	43+99
			44+14	to	45+76
			45+92	to	46+46
			46+73	to	47+37
			47+55	to	47+70
			48+13	to	48+67
			48+87	to	49+76
			49+93	to	52+34

Item 610.08 Plain Riprap

At pipe outlets and/or inlets as directed by the Resident.

Item 613.319 Temporary Erosion Control Blanket (4 ft. wide)

It is intended to apply this item in all areas of Ditching (Item 203.203) and as directed by the Resident.

Item 620.58 Erosion Control Geotextile

All areas that receive Riprap (Item 610.08) will receive erosion control geo-textile as directed by the Resident.

Item 627.76 Temporary Pavement Mark Line, White or Yellow

To be used once on the milled surface, on the CIPR and once on each layer of pavement, including shim and surface.

Construction Notes

**Brewer
NH-1139(800)E
Route 9, Level 2**

Item 631.12 All Purpose Exc. (Including Operator)

To remove existing pavement and as directed by Resident.

Item 631.32 Culvert Cleaner (Including Operator)

Clean drive pipes & cross-pipes as directed by the Resident.

Item 812.162 Adjusting Sewer Manhole to Grade

Note: Stations available upon request.

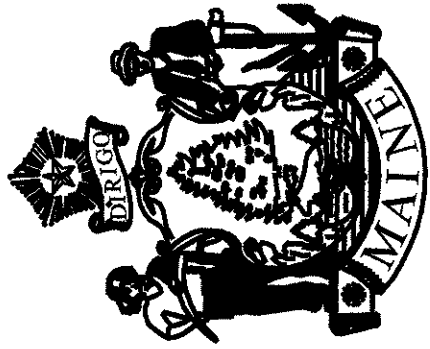
Item 823.011 Gate Valve, Install Only

Note: Stations available upon request.

Item 823.332 Gate Valve Box, Adjust to Grade

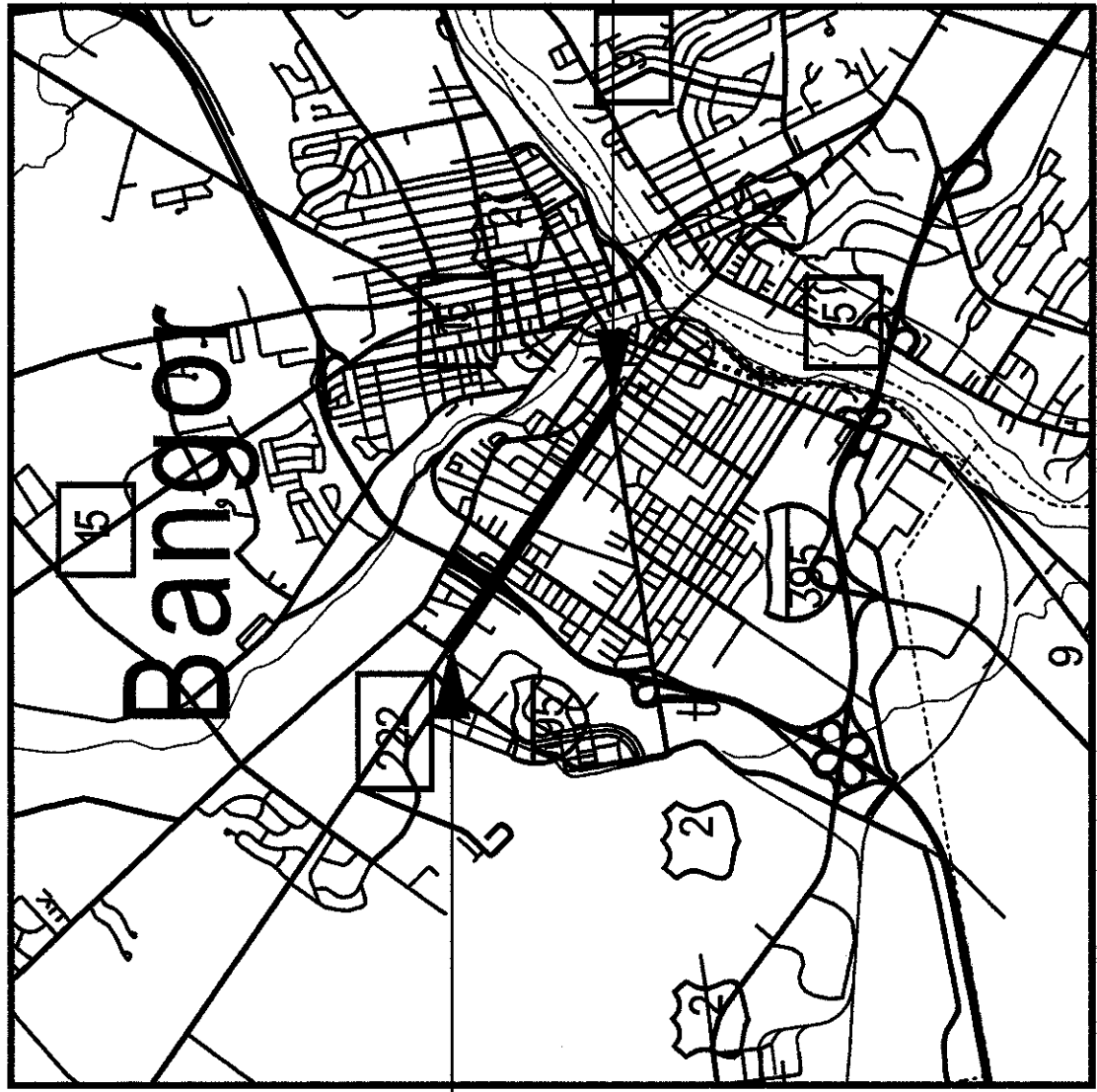
Note: Stations available upon request.

STATE OF MAINE
DEPARTMENT OF TRANSPORTATION

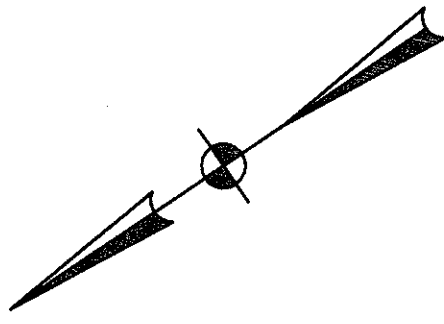


STP - 1157(500) X

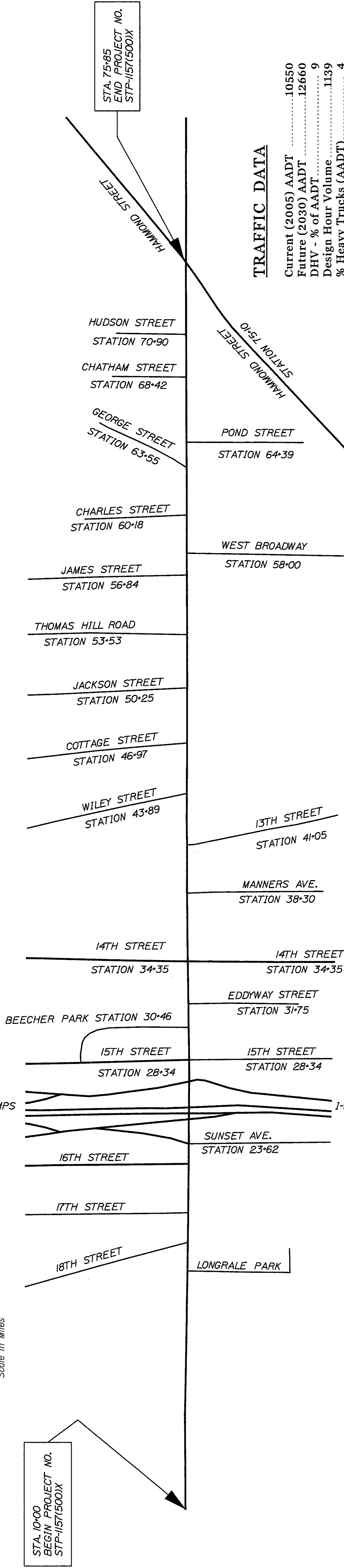
BEGIN PROJECT STA. 10+00
END PROJECT STA. 75+85



BANGOR
PENOBSCOT COUNTY
ROUTE 222 - UNION STREET
STP-1157(500)X
PROJECT LENGTH: 1.25 mi.
LEVEL 2 HIGHWAY RESURFACING



I-95 AND RAMPS



TRAFFIC DATA

Current (2005) AADT	10550
Future (2030) AADT	12660
DHV - % of AADT	9
Design Hour Volume	1139
% Heavy Trucks (AADT)	4
% Heavy Trucks (DHV)	3
Directional Distribution (DHV)	55
80 kN Equivalent P 2.0	204
80 kN Equivalent P 2.5	202
Design Speed (mph)	25

LEVEL 2 - MILL AND FILL
DRAINAGE IMPROVEMENTS
REMOVE AND RESET CURB
NEW BITUMINOUS CURB

PROJECT INFORMATION	PROGRAM	PROJECT MANAGER	JANIS PIER
	DESIGNER	TROY DEVOE	
	CONSULTANT		
	PROJECT RESIDENT		
	CONTRACTOR		
PROJECT COMPLETION DATE	OCTOBER 22, 2005		

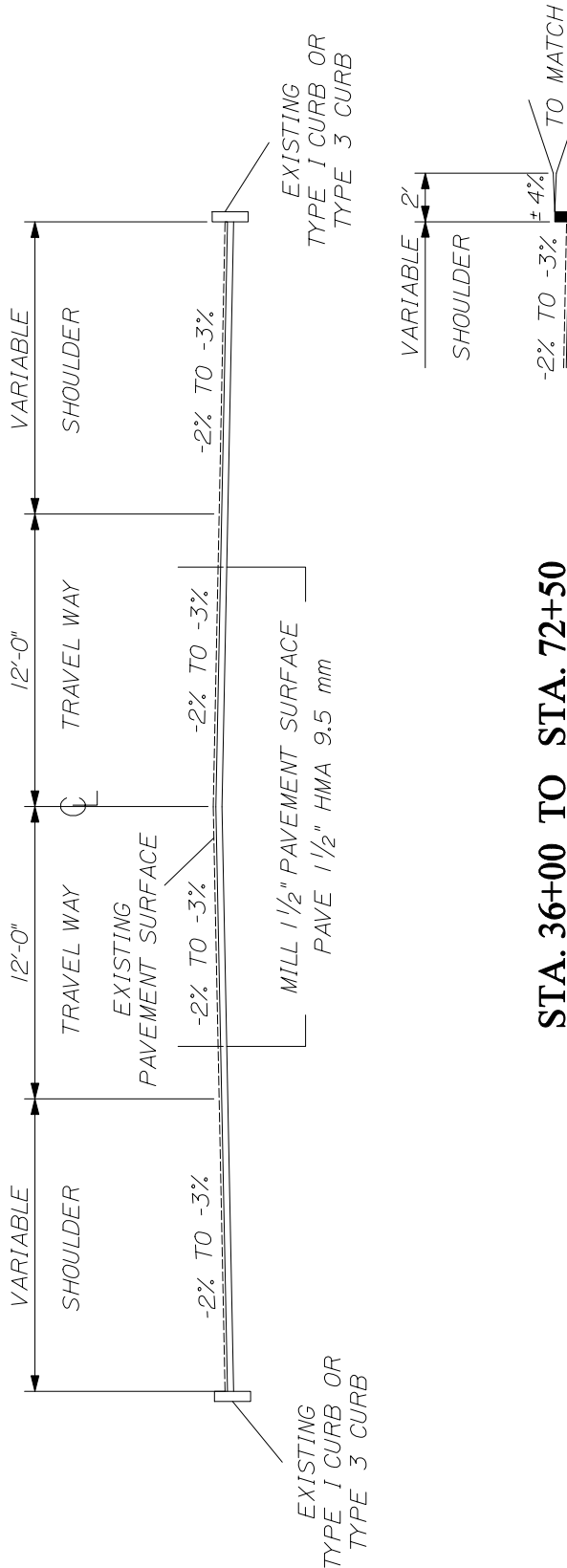
SIGNATURE	P.E. NUMBER	DATE
<i>[Signature]</i>	8460	8/9/05
JANIS PIER REGISTERED PROFESSIONAL ENGINEER STATE OF MAINE P.E. NO. 8460		

STATE OF MAINE DEPARTMENT OF TRANSPORTATION	APPROVED	DATE
	<i>[Signature]</i>	5/10/05
COMMISSIONER	CHIEF ENGINEER	03/10/05

BANGOR ROUTE 222 - UNION STREET	TITLE SHEET
STP-1157(500)X PIN 11575.00	

SHEET NUMBER	1	OF 1
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MILL 1-1/2" PAVEMENT SURFACE
PAVE 1-1/2" HMA 9.5 mm
NORMAL



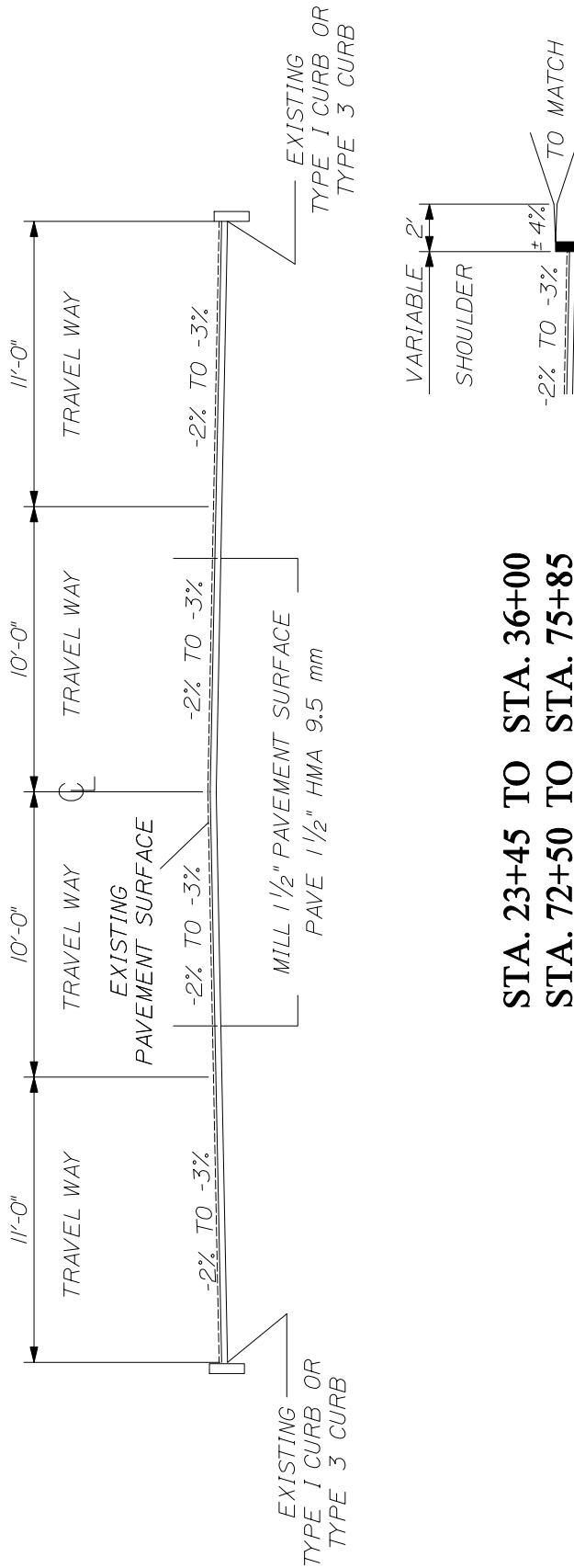
STA. 36+00 TO STA. 72+50

PROPOSED TYPE 1 OR TYPE 3 CURB
(TYPE 1 CURB TO BE BEDDED IN
CONCRETE SEE SPECIAL PROVISION 609.50)

NOTE: BACKING OF NEW CURB IS INCIDENTAL
TO THE APPROPRIATE CURB ITEMS).

NOTE: NOT TO SCALE

MILL 1 1/2" PAVEMENT SURFACE
PAVE 1 1/2" HMA 9.5 mm
NORMAL



STA. 23+45 TO STA. 36+00
STA. 72+50 TO STA. 75+85

PROPOSED TYPE 1 OR TYPE 3 CURB
(TYPE 1 CURB TO BE BEDDED IN
CONCRETE SEE SPECIAL PROVISION 609.50)

NOTE: BACKING OF NEW CURB IS INCIDENTAL
TO THE APPROPRIATE CURB ITEM(S).

NOTE: NOT TO SCALE

Project Stationing

Bangor
STP-1157(500)X
Route 222, Level 2

Lt	Station	Rt
End Project	75+95	End Project
Hammond Street	75+85	Hammond Street
Hudson Street	70+90	
Chatham Street	68+42	
	64+39	Pond Street
George Street	63+55	
Charles Street	60+18	
	58+00	West Broadway
James Street	56+84	
Thomas Hill Road	53+53	
Jackson Street	50+25	
Cottage Street	46+97	
Wiley Street	43+89	

Project Stationing

Bangor
STP-1157(500)X
Route 222, Level 2

Lt	Station	Rt
Trailer Park	41+32	
	41+05	13th Street
	38+30	Manners Ave
14th Street	34+35	14th Street
	31+75	Eddyway Street
Beecher Pk.	30+46	
15th Street	28+34	15th Street
	27+05	I-95 NB Off Ramp
I-95 NB On Ramp	26+91	
I-95 SB Off Ramp	24+20	
	23+62	Sunset Ave
Begin Project	10+00	Begin Project

Project Striping

Bangor
STP-1157(500)X
Route 222, Level 2

End Project

75+95

75+95

End Project

Hammond Street

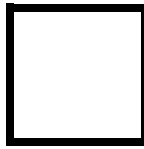
Hammond Street

74+50

74+50

71+10

71+10



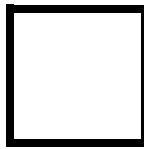
Hudson Street

70+70

70+70

68+57

68+57



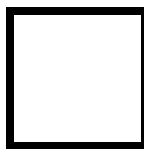
Chatham Street

68+27

68+27

64+58

64+58



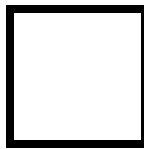
Pond Street

64+22

64+22

63+73

63+73



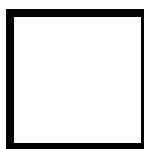
George Street

63+38

63+38

60+37

60+37



Charles Street

60+18

60+18

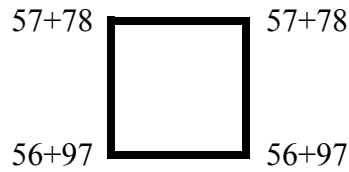


Project Striping

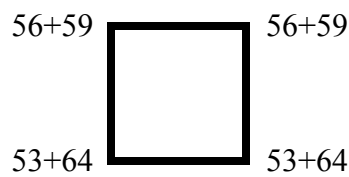
Bangor
STP-1157(500)X
Route 222, Level 2



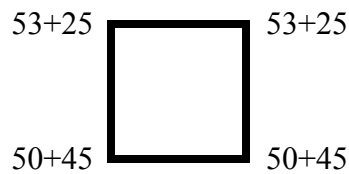
West Broadway



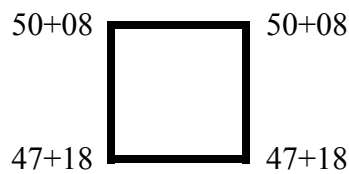
James Street



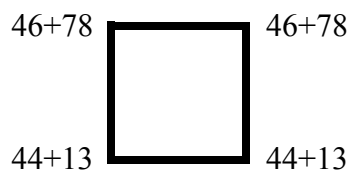
**Thomas Hill
Road**



Jackson Street



Cottage Street



Wiley Street

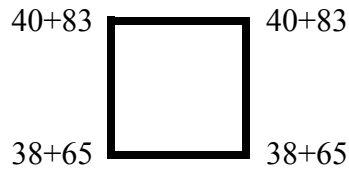


Project Striping

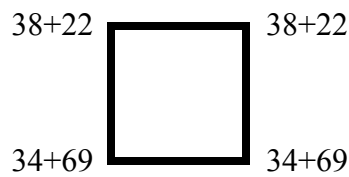
Bangor
STP-1157(500)X
Route 222, Level 2



13th Street

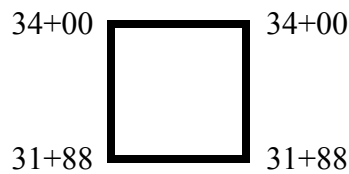


Manners Ave

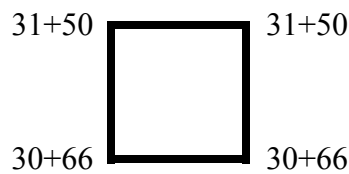


14th Street

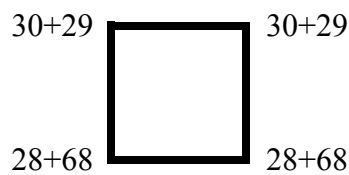
14th Street



Eddyway Street

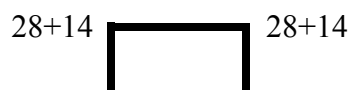


Beecher Park



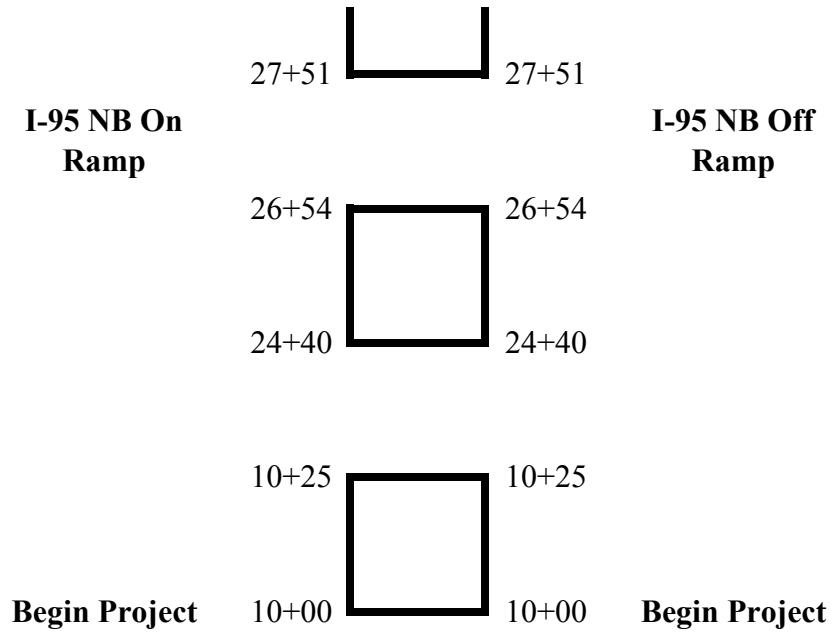
15th Street

15th Street



Project Striping

Bangor
STP-1157(500)X
Route 222, Level 2



Construction Notes

Bangor
STP-1157(500)X
Route 222, Level 2

Item 202.202 Removing Pavement Surface

From Station 23+45 – 75+85 pavement will be removed to a depth of 1 ½” from curb to curb, and at all side roads as listed below:

- Beecher Park (Lt) – 9 ft
- 14th Street (Lt) – 8 ft
- Wiley Street (Lt) – 6 ft
- Cottage Street (Lt) – 13 ft
- Jackson Street (Lt) – 15 ft
- James Street (Lt) – 18 ft
- 15th Street (Rt) – 15 ft
- 14th Street (Rt) – 15 ft

Note: Excess millings will be stockpiled at Whiting Hill, as directed by the Resident. Contractor may use up 15% in the new HMA. Millings may be used in PMRAP if option is chosen on PIN 11576.00.

Item 202.203 Pavement Butt Joints

Grind butt joints on all paved drives as directed by the Resident.

Item 304.103 Aggr Subb Crse Gravel – Truck Measure

To be used in various locations to build 2-3 ADA compliant ramps as directed by the Resident. 50 cy est.

Item 403.209 Hot Mix Asphalt 9.5 mm (Incidentals)

49 Paved Drives

0 Gravel Drives w/ Paved Aprons (3.0 ft)

Note: Approximate stations are available upon request to Division 3 office.

Item 411.10 Untreated Aggregate Surface Crs, Truck Measure

To back up paved aprons on gravel driveways and as directed by Resident.

Item 604.161 Altering Catch-basins

Station	Side	Station	Side
23+08	Lt	20+25	Rt
24+26	Lt	21+89	Rt
26+55	Lt	28+14	Rt
27+51	Lt	32+61	Rt
34+73	Lt	33+95	Rt
35+68	Lt	36+07	Rt
38+25	Lt	41+35	Rt

Construction Notes

Bangor
STP-1157(500)X
Route 222, Level 2

Item 604.161 Altering Catch-basins Cont'd

Station	Side	Station	Side
41+10	Lt	42+47	Rt
44+07	Lt	43+37	Rt
		47+05	Rt
		47+10	Rt

Note: This work will consist of altering the catch basin frame from round to square with a cascade grate, adjusting to grade, and cleaning the catchbasin.

Item 604.164 Rebuilding Catch-Basin

Station	Left	Station	Right
32+65	Lt	8+22	Rt
		19+08	Rt
		34+60	Rt

Note: This work will consist of rebuilding catch basin, placing square frame with cascade grate, adjusting to grade and cleaning.

Item 604.167 Alter Catch-Basin Grate to Cascade

Station	Side	Station	Side
17+12	Lt	17+11	Rt
19+07	Lt		
21+71	Lt		

Note: This work will consist of changing existing grate to cascade grate.

Item 604.18 Adjust Manhole or Catch-basin to Grade

Station	Side	Station	Side
47+28	Lt	6+50	Rt
56+46	Lt	7+52	Rt
59+91	Lt	23+07	Rt
		57+38	Rt

Item 604.182 Clean Catch-Basin & Manhole

Station	Side	Station	Side
17+12	Lt	17+11	Rt
19+07	Lt		
21+71	Lt		
50+46	Lt		

Construction Notes

Bangor
STP-1157(500)X
Route 222, Level 2

Item 609.31 Curb Type 3

Station		Left	Station		Right
28+70	to	29+26	28+79	to	29+25
29+41	to	30+28	29+41	to	29+51
30+61	to	31+35	29+64	to	30+32
31+52	to	32+40	30+57	to	31+57
32+84	to	33+09	35+71	to	36+89
36+06	to	37+40	37+04	to	37+40
37+56	to	38+00	37+54	to	38+17
38+13	to	39+00	39+04	to	39+74
39+20	to	39+52	39+89	to	40+82
39+70	to	40+29	41+32	to	42+49
40+50	to	40+75	42+78	to	43+63
40+85	to	41+02	43+82	to	44+12
41+54	to	43+62	44+27	to	44+74
44+00	to	44+39	44+89	to	45+00
44+60	to	46+75	45+14	to	45+74
47+13	to	48+25	46+10	to	46+34
48+49	to	49+12	46+53	to	48+53
49+30	to	50+07	48+79	to	51+14
50+35	to	50+75	51+38	to	53+50
50+92	to	51+60	53+90	to	57+64
51+80	to	52+19	58+37	to	59+77
52+40	to	52+51			
52+66	to	53+26			
53+64	to	54+91			
55+12	to	55+61			
55+78	to	56+56			
56+95	to	58+06			
58+27	to	58+94			
59+11	to	59+20			
59+46	to	60+00			

Item 609.38 Reset Curb Type 1

Station		Left	Station		Right
9+76	to	10+21	10+21	to	10+55
10+41	to	11+76	10+80	to	11+30
11+95	to	12+40	11+74	to	12+13
12+61	to	14+06	12+42	to	13+81
14+30	to	14+98	14+01	to	15+68
15+20	to	15+27	16+25	to	17+78

Construction Notes

Bangor
STP-1157(500)X
Route 222, Level 2

Item 609.38 Reset Curb Type 1 - Continued

Station		Left	Station		Right
15+54	to	15+95	18+03	to	19+97
16+14	to	16+46	20+15	to	21+61
16+65	to	17+37	22+00	to	23+50
17+75	to	19+19	22+06	to	24+20
19+67	to	22+05	23+90	to	24+40
27+17	to	28+07	26+35	to	26+75
33+76	to	34+08	27+55	to	28+32
34+49	to	34+63	31+94	to	32+17
34+97	to	35+40	32+65	to	34+09
35+77	to	35+85	34+48	to	34+65
			34+96	to	35+24

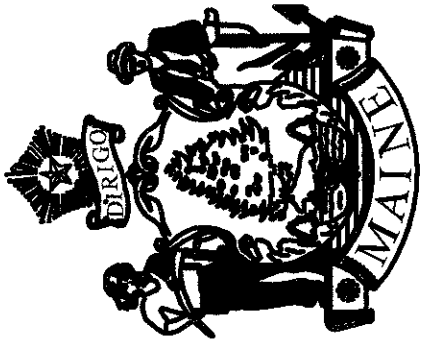
Item 615.07 Loam

This item will be used to fix lawns and esplanade in sections where curb will be replaced or reset.

NOTE:

Station 10+00 to Station 23+45 involves resetting of curb and various catch basin work only. Any repairs to the pavement in these areas will be paid for under item 403.210.

STATE OF MAINE
DEPARTMENT OF TRANSPORTATION

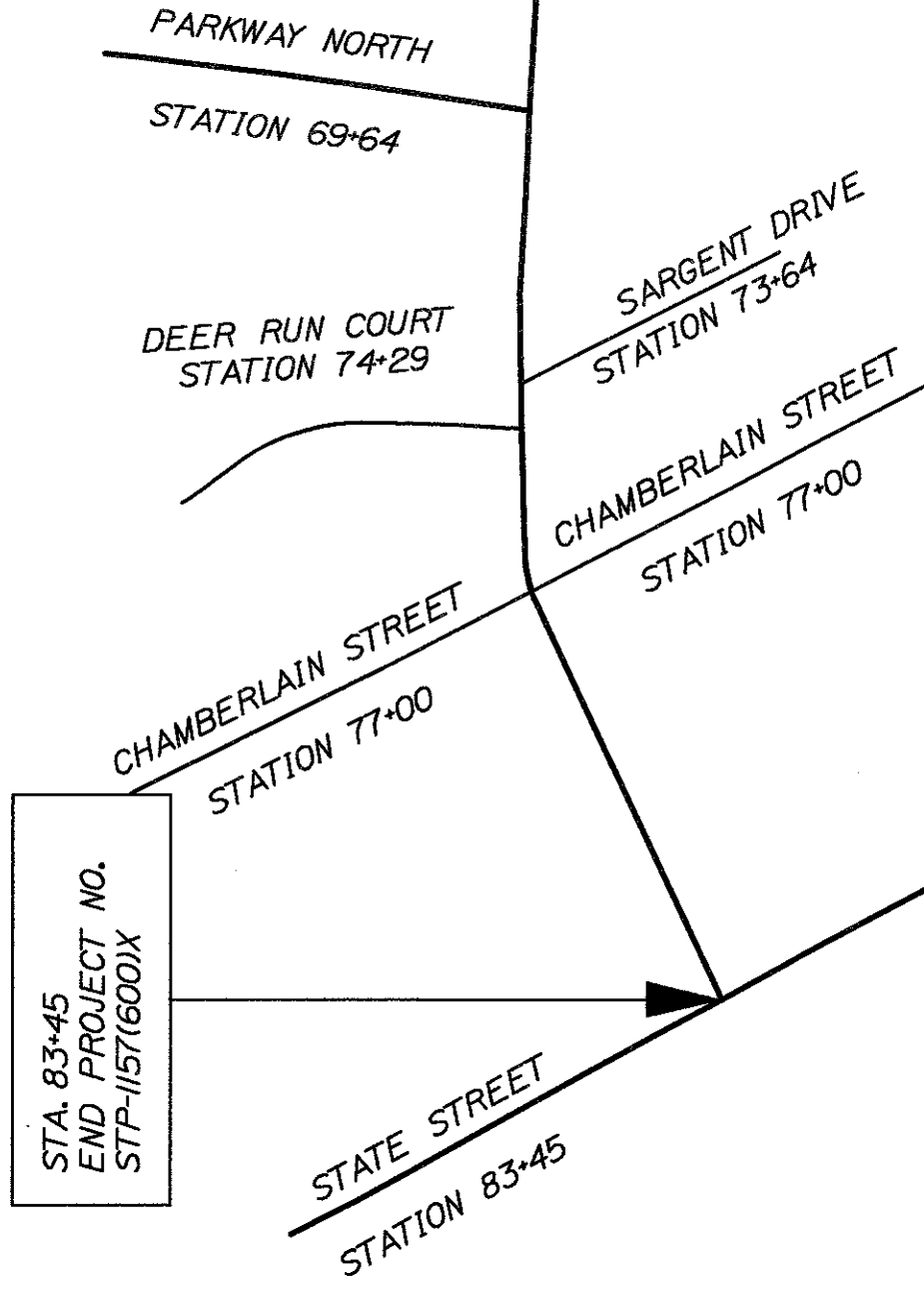
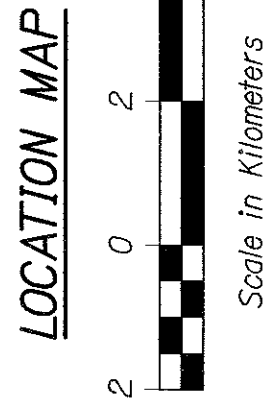
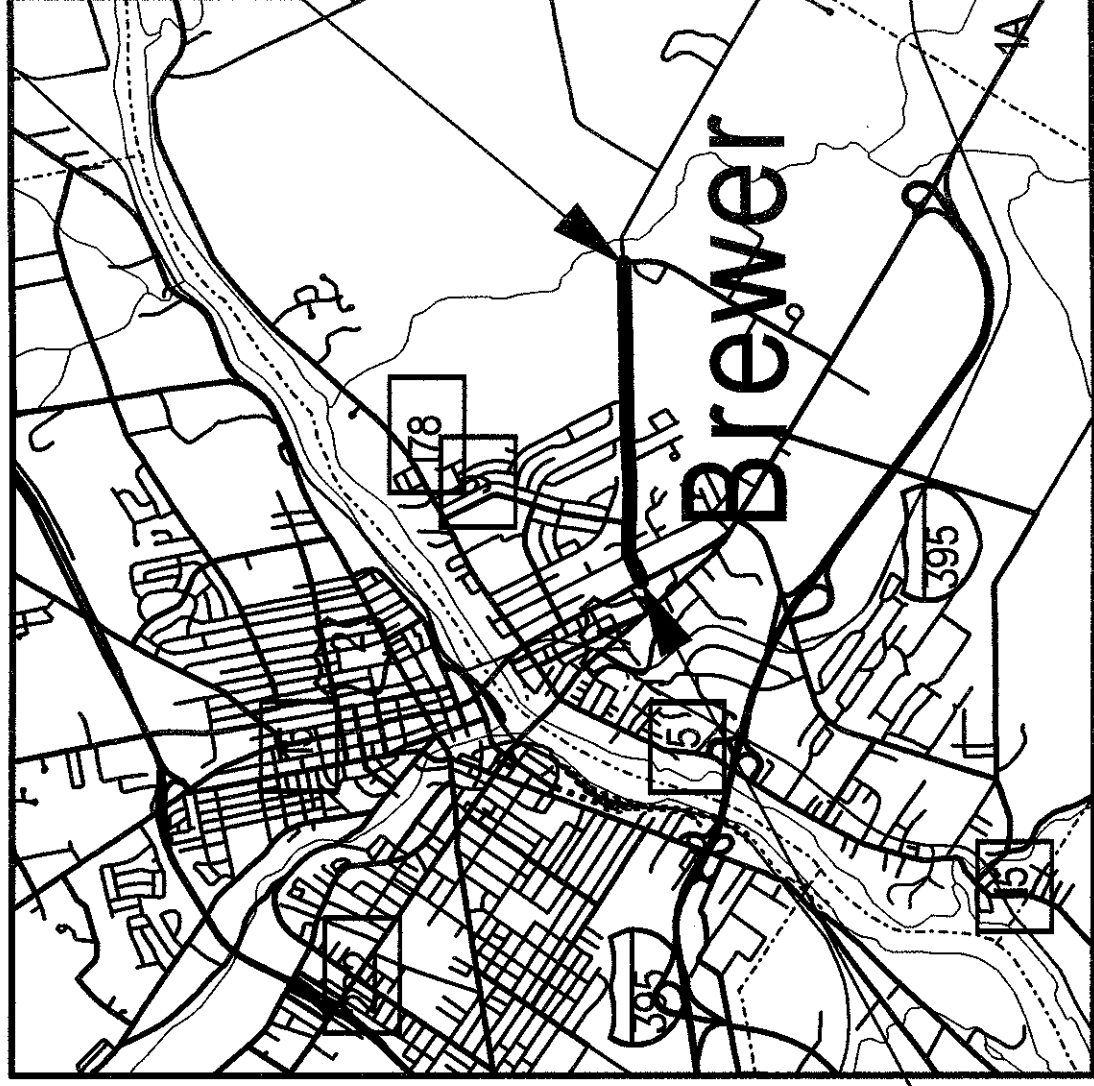


BREWER
PENOBSCOT COUNTY
EASTERN AVENUE
STP-1157(600)X

PROJECT LENGTH: 1.39 mi.
LEVEL 2 HIGHWAY RESURFACING

STP - 1157(600) X

END PROJECT STA. 83+45
BEGIN PROJECT STA. 10+00



STA. 83+45
END PROJECT NO.
STP-1157(600)X

PARKWAY NORTH
STATION 69+64

DEER RUN COURT
STATION 74+29

CHAMBERLAIN STREET
STATION 77+00

STATE STREET
STATION 83+45

SARGENT DRIVE
STATION 73+64

CHAMBERLAIN STREET
STATION 77+00

RINFRET ROAD
STATION 55+52

ALLISON PARK
STATION 50+90

OAK GROVE
STATION 41+49

PIERCE ROAD
STATION 10+00

STA. 10+00
BEGIN PROJECT NO.
STP-1157(600)X

TRAFFIC DATA		SEC. 1 EASTERN AVE E/O CHAMBERLAIN ST.	SEC. 2 EASTERN AVE W/O PIERCE RD.
Current (2005) AADT		5390	2400
Future (2030) AADT		7550	3360
DHV - % of AADT		10	10
Design Hour Volume		755	336
% Heavy Trucks (AADT)		6	9
% Heavy Trucks (DHV)		4	5
Directional Distribution (DHV)		55	55
80 kN Equivalent P 2.0		163	165
80 kN Equivalent P 2.5		160	162
Design Speed (MPH)		25	35

LEVEL 2 - MILL AND FILL, FULL DEPTH RECYCLED ASPHALT PAVEMENT WITH FOAMED ASPHALT, DRAINAGE IMPROVEMENTS AND NEW PAVED SHOULDERS

BREWER
EASTERN AVENUE
TITLE SHEET

SHEET NUMBER
1
OF 1

PROJECT INFORMATION

PROGRAM	REGIONAL
PROJECT MANAGER	JANIS PIPER
DESIGNER	TROY DEVOE
CONSULTANT	
PROJECT RESIDENT	
CONTRACTOR	
PROJECT COMPLETION DATE	XXXXXXXXXXXXX

DATE	3/9/05
P.E. NUMBER	0460
SIGNATURE	



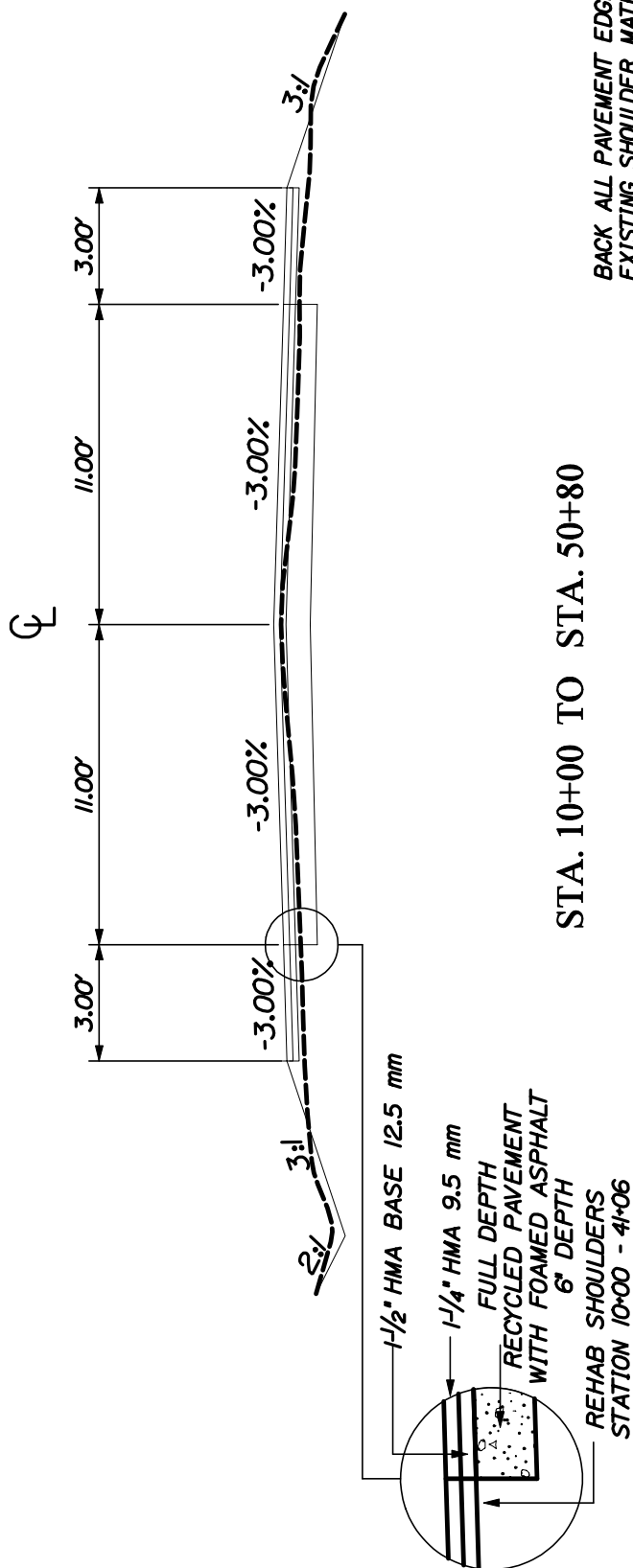
CHIEF ENGINEER	
COMMISSIONER	

APPROVED

DATE

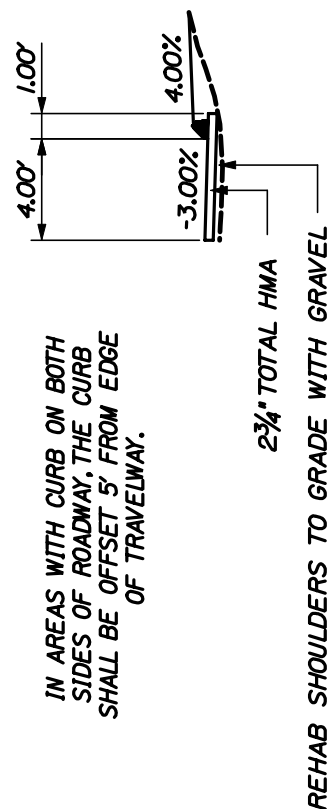
STATE OF MAINE
DEPARTMENT OF TRANSPORTATION

2-3/4" HOT MIX ASPHALT PAVEMENT OVER
FULL DEPTH RECYCLED ASPHALT PAVEMENT WITH
FOAMED ASPHALT - 6" DEPTH
(MAINLINE ONLY)



BACK ALL PAVEMENT EDGES WITH
EXISTING SHOULDER MATERIAL TO
ALLOW NO GREATER THAN A 1/4"
DROP-OFF AND GRADE TO 1:3 SLOPE
OR FLATTER.

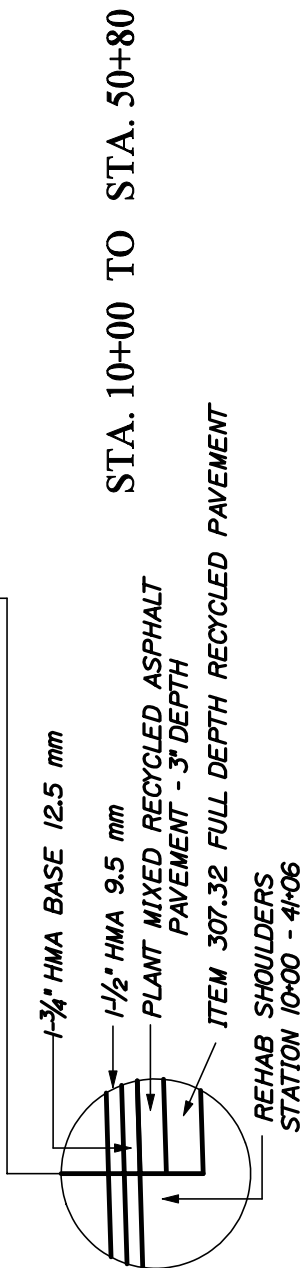
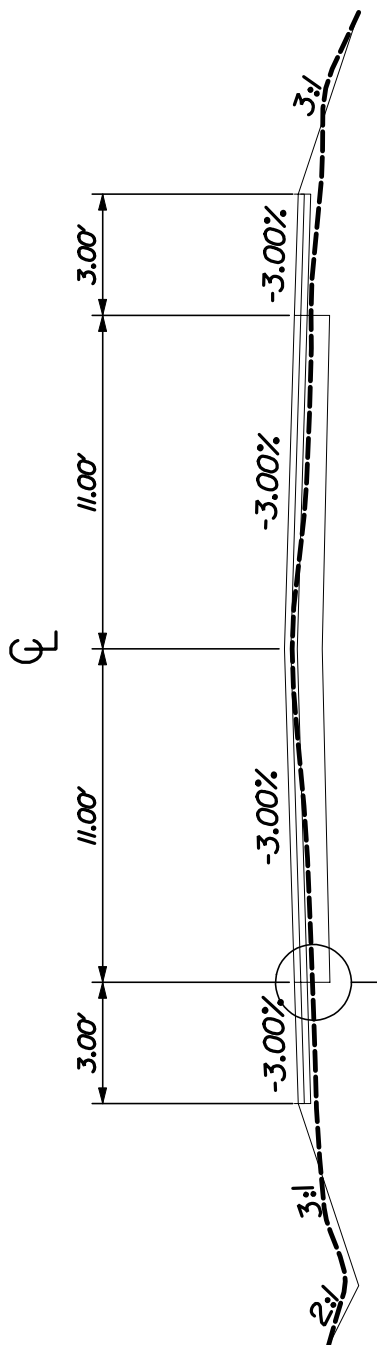
CURB AT VARIOUS LOCATIONS



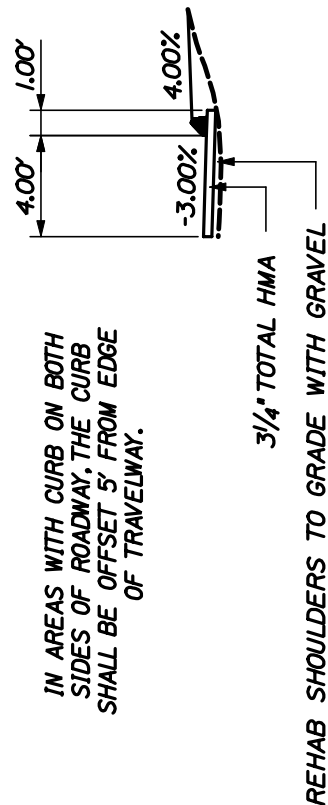
IN AREAS WITH CURB ON BOTH
SIDES OF ROADWAY, THE CURB
SHALL BE OFFSET 5' FROM EDGE
OF TRAVELWAY.

NOTE: NOT TO SCALE

3-1/4" HOT MIX ASPHALT PAVEMENT OVER
PLANT MIXED RECYCLED ASPHALT PAVEMENT - 3" DEPTH
FULL DEPTH RECYCLED PAVEMENT
(MAINLINE ONLY)



CURB AT VARIOUS LOCATIONS

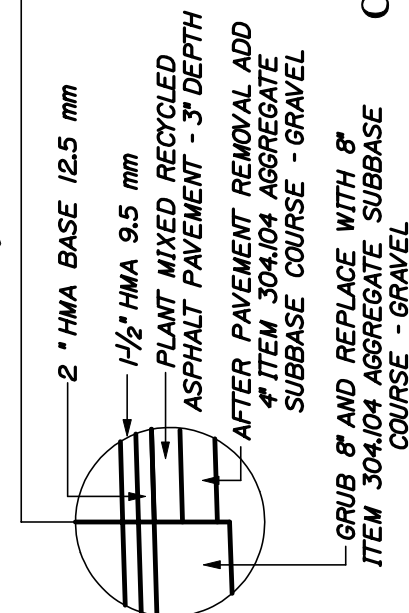
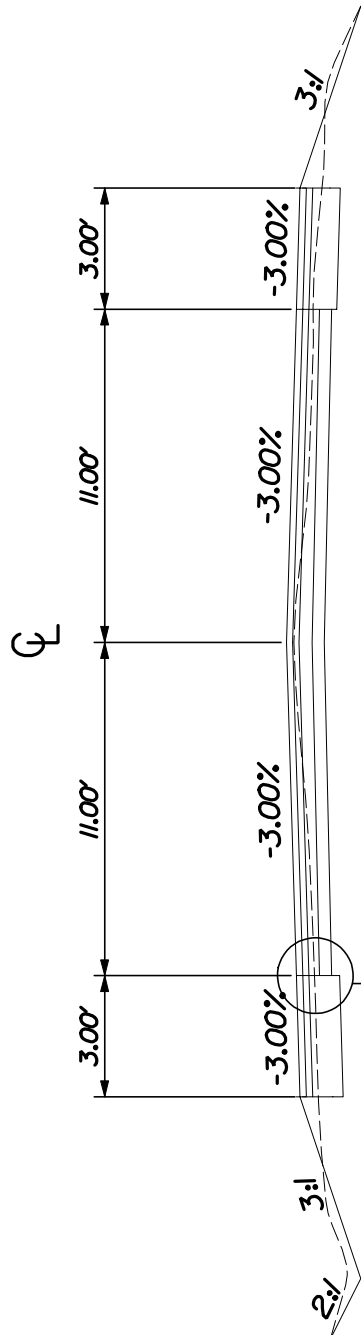


MATERIAL FOR PLANT MIXED RECYCLED ASPHALT PAVEMENT SHALL COME FROM MILLED AREA ON PROJECT AND FROM WHITING HILL IN BREWER. LOADING AND TRUCKING OF MATERIAL WILL BE INCIDENTAL TO ITEM 310.23.

BACK ALL PAVEMENT EDGES WITH EXISTING SHOULDER MATERIAL TO ALLOW NO GREATER THAN A 1/4" DROP-OFF AND GRADE TO 1:3 SLOPE OR FLATTER.

NOTE: NOT TO SCALE

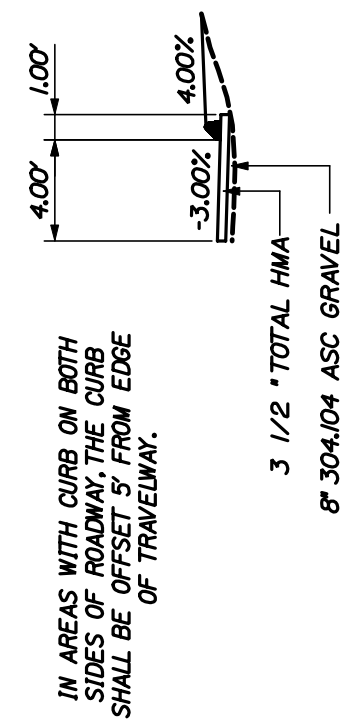
3-1/2" HOT MIX ASPHALT PAVEMENT OVER
PLANT MIXED RECYCLED ASPHALT PAVEMENT - 3" DEPTH
(MAINLINE ONLY)



STA. 10+00 TO STA. 50+80

CURB AT VARIOUS LOCATIONS

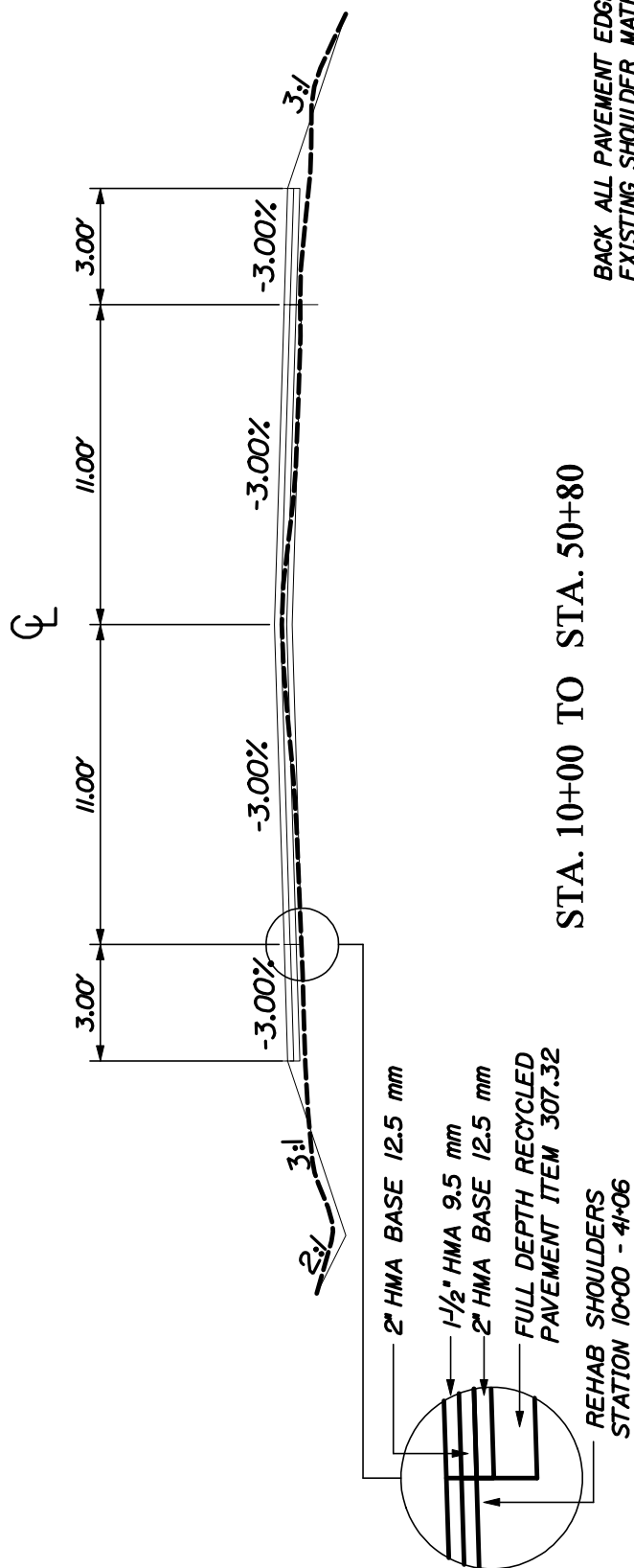
BACK ALL PAVEMENT EDGES WITH
EXISTING SHOULDER MATERIAL TO
ALLOW NO GREATER THAN A 1/4"
DROP-OFF AND GRADE TO 1:3 SLOPE
OR FLATTER.



IN AREAS WITH CURB ON BOTH
SIDES OF ROADWAY, THE CURB
SHALL BE OFFSET 5' FROM EDGE
OF TRAVELWAY.

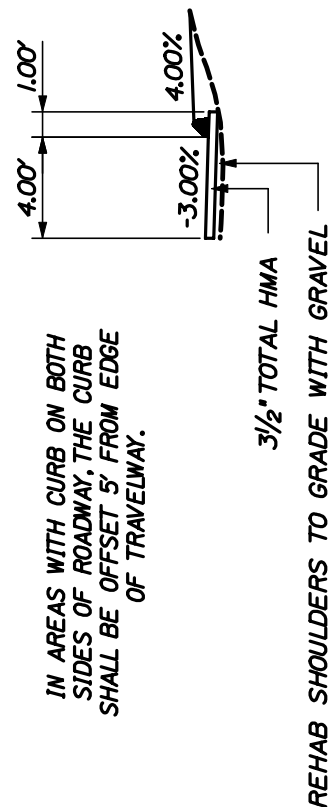
NOTE: NOT TO SCALE

5-1/2" HOT MIX ASPHALT PAVEMENT OVER
FULL DEPTH RECYCLED PAVEMENT
(MAINLINE ONLY)



STA. 10+00 TO STA. 50+80

CURB AT VARIOUS LOCATIONS

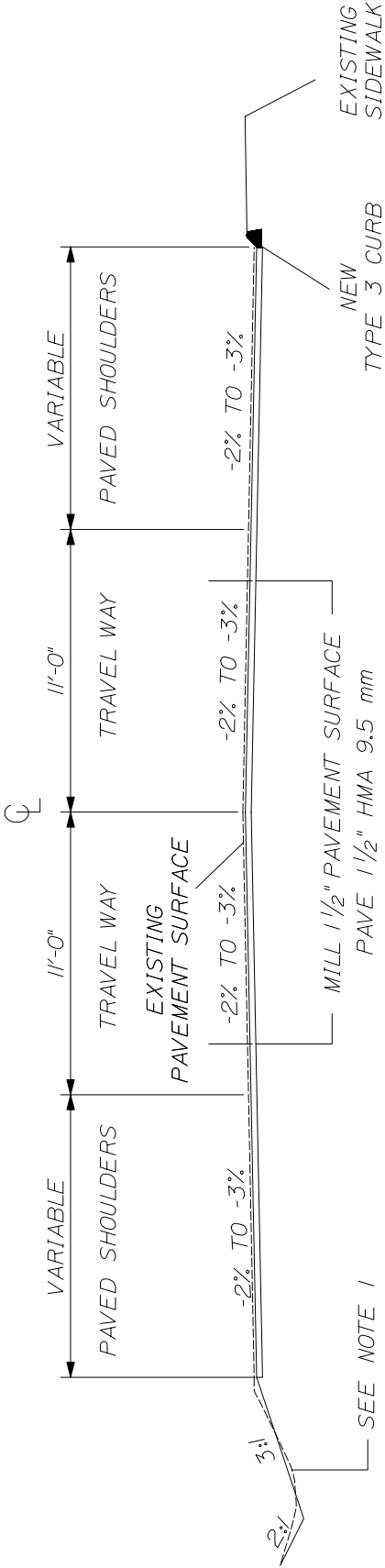


IN AREAS WITH CURB ON BOTH
SIDES OF ROADWAY, THE CURB
SHALL BE OFFSET 5' FROM EDGE
OF TRAVELWAY.

BACK ALL PAVEMENT EDGES WITH
EXISTING SHOULDER MATERIAL TO
ALLOW NO GREATER THAN A 1/4"
DROP-OFF AND GRADE TO 1:3 SLOPE
OR FLATTER.

NOTE: NOT TO SCALE

MILL 1 1/2" PAVEMENT SURFACE
PAVE 1 1/2" HMA 9.5 mm
NORMAL



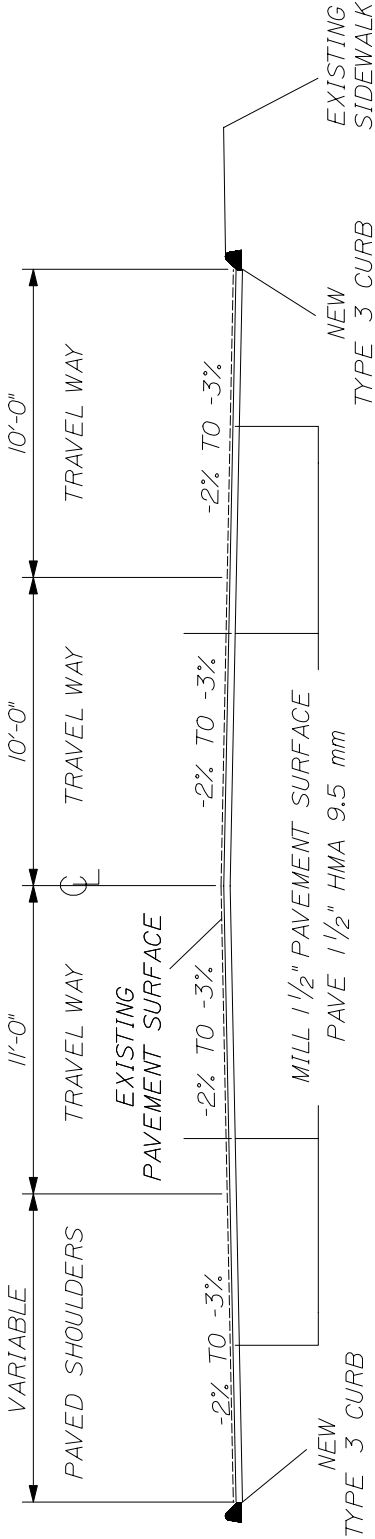
STA. 50+80 TO STA. 81+70

NOTES:

- BACK ALL PAVEMENT EDGES WITH EXISTING SHOULDER MATERIAL TO ALLOW NO GREATER THAN A 1/4" DROP-OFF AND GRADE TO 1:3 SLOPE OR FLATTER.

NOTE: NOT TO SCALE

MILL 1 1/2" PAVEMENT SURFACE
PAVE 1 1/2" HMA 9.5 mm
NORMAL



STA. 81+70 TO STA. 83+45

NOTE: NOT TO SCALE

Project Stationing

Brewer
STP-1157(600)X
Eastern Ave, Level 2

Lt	Station	Rt
End Project	83+45	End Project
	80+10	Hanover St.
	77+00	Chamberlain St.
Chamberlain St.	76+95	
	74+29	Deer Run Ct.
Sargent Dr.	73+64	
		Parkway North Rd.
	63+72	Fire Hydrant
	56+66	Fire Hydrant
Rinfret Rd.	55+52	
Allison Pk.	50+90	
	41+49	Oak Grove Dr.

Project Stationing

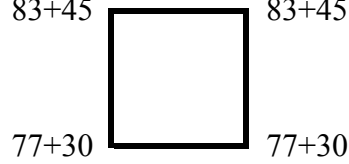
Brewer
STP-1157(600)X
Eastern Ave, Level 2

Lt	Station	Rt
# 31 -25	⊖ 35+07	
Fire Hydrant	29+50	
Fire Hydrant	25+13	
	18+30 ⊖	# 34
Fire Hydrant	14+83	
	14+22 ⊖	# 35 ¹ / ₂
Begin Project	10+00	Begin Project

Project Striping

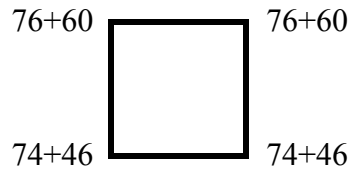
Brewer
STP-1157(600)X
Eastern Ave, Level 2

End Project 83+45 83+45 End Project

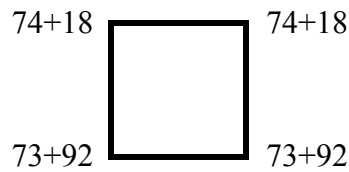


Chamberlain St.

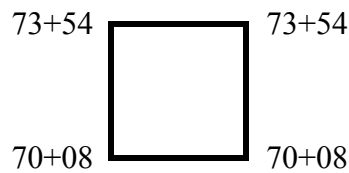
Chamberlain St.



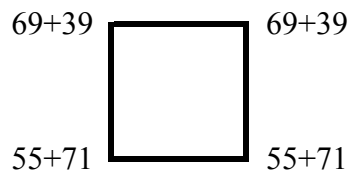
Deer Run Ct.



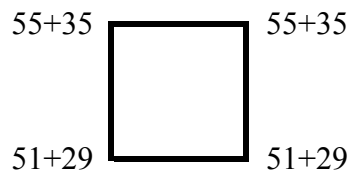
Sargent Dr.



Parkway North



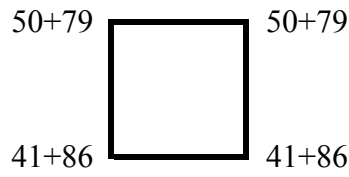
Rinfret Dr.



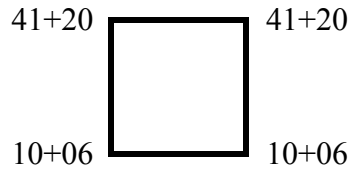
Allison Park

Project Striping

**Brewer
STP-1157(600)X
Eastern Ave, Level 2**



Oak Grove



Begin Project 10+00 10+00 **Begin Project**

Construction Notes

Brewer
STP-1157(600)X
Eastern Ave, Level 2

Item 202.202 Removing Pavement Surface

Removing pavement surface will begin at station 50+80 and extend to station 83+45 at a depth of 1 ½" over the entire width of pavement, including shoulders. Excess millings will be stockpiled at Whiting Hill, as directed by Resident. The contractor may use up to 15% RAP in the new HMA. Millings may be used for PMRAP if option is chosen.

Item 202.203 Pavement Butt Joints

Grind butt joints on all paved drives and entrances, and side roads as directed by the Resident.

Item 304.103 Aggr Subb Crs – Gravel – Truck Measure

This item will be used to rebuild sidewalks in sections that new curb is placed adjacent to the sidewalk, rebuild 2-3 ADA compliant ramps and to adjust driveways in treatment option sections as directed by Resident. 400 cy est.

Item 403.209 Hot Mix Asphalt 9.5 mm (Incidentals)

70	Paved Drives
12	Gravel Drives w/ Paved Aprons (3.0 ft)
4	Field Entrances

Note: Driveways stations are available upon request to Region 4 office.

Item 403.210 Hot Mix Asphalt 9.5 mm

1 ½" Surface course on milled area

Item 411.10 Untreated Aggregate Surface Crs, Truck Measure

To back up paved aprons on gravel driveways and as directed by Resident.

Item 603.16 375 mm Culvert Pipe Option I (driveway culverts)

Station	Side	Approx. Length	Station	Side	Approx. Length
37+61	Lt	100	18+05	Rt	28
			21+17	Rt	20
			28+71	Rt	33
			29+79	Rt	25
			30+98	Rt	24

Item 603.17 450 mm Culvert Pipe Option I

Station	Side	Approx. Length
10+37	Lt.	50

Construction Notes

Brewer
STP-1157(600)X
Eastern Ave, Level 2

Item 604.161 Altering Catch Basin

Station	Side	Station	Side
49+93	Lt	49+93	Rt.
60+61	Lt	52+92	Rt.
63+12	Lt	56+24	Rt.
		60+00	Rt.
		62+95	Rt.
		65+52	Rt.
		76+45	Rt.

Item 604.164 Rebuilding Catch Basin

Station	Side	Station	Side
52+78	Lt.		
56+45	Lt.		
57+37	Lt.		
83+55	Lt.		

Item 604.18 Adjust Manhole or Catchbasin to Grade

Station	Side	Station	Side
83+55	Rt.		

Item 604.262 Catchbasin Type B5-C

Station	Side	Station	Side
67+14	Lt.	67+04	Rt.
69+03	Lt.	69+32	Rt.
70+61	Lt.	70+45	Rt.
73+40	Lt.	73+35	Rt.
73+76	Lt.	79+75	Rt.
76+45	Lt.		
77+20	Lt.		
79+75	Lt.		

Note: These are replacing existing catchbasins. All material and labor for connections to existing pipes will be incidental to the 604 items.

Item 606.47 Single Wood Post

To replace mailbox posts as directed by Resident

Construction Notes

Brewer
STP-1157(600)X
Eastern Ave, Level 2

Item 609.31 Curb Type 3

Station		Left	Station		Right
12+22	to	12+86	10+00	to	10+26
13+18	to	13+48	10+44	to	10+94
14+15	to	14+84			
15+07	to	19+66			
19+96	to	21+98			
22+26	to	22+98			
23+22	to	24+11			
24+50	to	26+07			
31+55	to	32+45			
37+11	to	37+53			
41+63	to	43+17			
43+44	to	43+49			
43+68	to	44+89			

Item 610.08 Plain Riprap

At pipe outlets and inlets, as directed by the Resident.

Item 613.319 Temporary Erosion Control Blanket (4.0 ft wide)

It is intended to apply this item in all areas of Ditching as directed by the Resident.

Item 620.58 Erosion Control Geotextile

All areas that receive Riprap (Item 610.08) will receive erosion control geotextile as directed by the Resident.

Item 627.75 White or Yellow Pavement and Curb Mark

To be used for cross-walks, curb ends and pavement markings as directed by the Resident.

Item 631.12 All Purpose Excavator (Including Operator)

To be used for ditch / inslope, sidewalk repair and ADA compliant ramp construction on the sidewalk as directed by the Resident.

Item 631.172 Truck - Large (Including Operator)

To be used for ditch / inslope, sidewalk repair and ADA compliant ramp construction on the sidewalk as directed by the Resident.

Construction Notes

Brewer
STP-1157(600)X
Eastern Ave, Level 2

Item 631.32 Culvert Cleaner (Including Operator)

Clean drive pipes & cross-pipes as directed by the Resident.

Item 801.14 4" Diameter PVC Sewer

Note: For locations and stations of this item see the plan sheets by Woodard and Curran.

Item 801.17 8" Diameter PVC Sewer

Note: For locations and stations of this item see the plan sheets by Woodard and Curran.

Item 801.175 10" Diameter PVC Sewer

Note: For locations and stations of this item see the plan sheets by Woodard and Curran.

Item 801.18 12" Diameter PVC Sewer

Note: For locations and stations of this item see the plan sheets by Woodard and Curran.

Item 803.01 Test Pits

Note: For locations and stations of this item see the plan sheets by Woodard and Curran.

Item 803.16 4' Diameter Concrete Manhole

Station	Side	Quantity	Station	Side	Quantity
42+93	Lt	1	51+42	Rt.	1
44+91	Lt	1			
47+92	Lt	1			

Note: For locations and stations of this item see the plan sheets by Woodard and Curran. There are a few more listed on the plan sheets than what is listed above. The above mentioned are in the foamed asphalt section.

Item 812.162 Adjust Manhole to Grade

Note: Stations are available upon request.

Item 812.164 Rebuilding Manhole

Note: Stations are available upon request.

Item 823.011 Gate Valve, Install Only

Note: Stations are available upon request.

PROJECT TREATMENT OPTIONS

Option 1

Item 204.41 Rehab of Existing Shoulders (Plan Quantity)

This item will be to rehabilitate 3ft wide shoulders (4ft wide in curb sections) from station 10+00 to station 41+06 right and left. This will be to a depth of 6" or a depth that will remove all organics or questionable material and will require contractor to bring shoulder back to grade with a suitable material as directed by the Resident.

Item 309.36 Full Depth Recycled Pavement with Foamed Asphalt 6"

Station		Station	Travelway (ft)
10+00	to	50+80	22

Item 403.210 Hot Mix Asphalt 9.5 mm

1 1/4" Surface course on mainline and shoulder

Item 403.213 Hot Mix Asphalt 9.5 mm

1 1/2" Base course on mainline and shoulder

Option 2

Item 204.41 Rehab of Existing Shoulders (Plan Quantity)

This item will be to rehabilitate 3ft wide shoulders (4ft wide in curb sections) from station 10+00 to station 41+06 right and left. This will be to a depth of 6" or a depth that will remove all organics or questionable material and will require contractor to bring shoulder back to grade with a suitable material as directed by the Resident.

Construction Notes

Brewer
STP-1157(600)X
Eastern Ave, Level 2

Item 307.32 Full Depth Recycled Pavement

Station		Station	Travelway (ft)
10+00	to	50+80	22

Item 310.23 Plant Mixed Recycled Asphalt Pavement - 3" Depth

Station		Station	Travelway (ft)
10+00	to	50+80	22

Material for plant mixed recycled asphalt pavement will come from milled areas in this contract and from Whiting Hill in Brewer if additional material is needed. Loading and trucking of material will be incidental to item 310.23.

Item 403.210 Hot Mix Asphalt 9.5 mm

1 ½" Surface course on mainline and shoulder

Item 403.213 Hot Mix Asphalt 9.5 mm

1 ¾" Base course on mainline and shoulder

Option 3

Item 304.104 Aggr Subb Crs – Gravel – Plan Quantity

Option Item:

This item to be used at a depth of 4" on mainline and 8" on the shoulders

Item 310.23 Plant Mixed Recycled Asphalt Pavement - 3" Depth

Station		Station	Travelway (ft)
10+00	to	50+80	22

Material for plant mixed recycled asphalt pavement will come from the removal of pavement in the treatment area. If additional material is needed it shall come from the milled area with no additional payment for loading and trucking of material.

Item 403.210 Hot Mix Asphalt 9.5 mm

1 ½" Surface course on mainline and shoulder

Item 403.213 Hot Mix Asphalt 9.5 mm

2" Base course on mainline and shoulder

Option 4

Item 204.41 Rehab of Existing Shoulders (Plan Quantity)

This item will be to rehabilitate 3ft wide shoulders (4ft wide in curb sections) from station 10+00 to station 41+06 right and left. This will be to a depth of 6" or a depth that will remove all organics or questionable material and will require contractor to bring shoulder back to grade with a suitable material as directed by the Resident.

Item 307.32 Full Depth Recycled Pavement

Station		Station	Travelway (ft)
10+00	to	50+80	22

Item 403.210 Hot Mix Asphalt 9.5 mm

1 ½" Surface course on mainline and shoulder

Item 403.213 Hot Mix Asphalt 9.5 mm

4" Base course on mainline

2" Base course on shoulder

MEMORANDUM

TO: Jamie Andrews
FROM: Travis Noyes, P.E.
DATE: April 7, 2005
RE: Eastern Avenue Level II Overlay Project – PIN 11576.00

The following are answers to questions posed by Contractors regarding the sewer construction portion of the above referenced project. The question is presented in italics and the answer follows.

- 1.) *Is the location of existing sewer services along Eastern Avenue known and if so can this information be provided?*

The City of Brewer has limited information regarding the location of sewers along Eastern Avenue. It is the Contractor's responsibility to locate existing sewer services along this street. City of Brewer personnel will assist the Contractor by providing as much information as they have for existing services along this street during construction.

- 2.) *What is the intent of the sewer service connections?*

It is the intent of the project to provide new sanitary sewer laterals to all residences along Eastern Avenue that are connected to existing sewers that are scheduled to be replaced as a result of this project. The sanitary sewer laterals shall be extended to the right-of-way limits of Eastern Avenue, unless the City or their Representative during construction determines that the service lateral is in good condition and does not require replacement. Bid Quantities have been provided for sanitary sewer lateral installation.

- 3.) *Will the testing requirements associated with sewer installation be waived for the 10" sewer main scheduled to replace existing live sewers?*

In an attempt to expedite the installation of replacement sewer mains and maintain service to residents along Eastern Avenue, the testing requirements for this section of sewer replacement will be waived.

TEN/ten
213079.01

cc: Frank Higgins, City of Brewer

General Notes

NH-1139(800)E
STP-157(500)X
STP-1157(600)X

- 1) All joints between existing and proposed hot bituminous pavement shall be butted. Payment shall be made under Item 202.203 Pavement Butt Joint.
- 2) Construct Butt Joints at all paved drives and entrances.
- 3) Where deemed necessary by the Resident, winter sand shall be removed from the edges of shoulders and placed in designated areas or disposed of. Payment will be made under the appropriate hourly rental items.
- 4) All inslope and ditches in cut areas shall be regraded to 4:1, or flatter (*PIN # 11398.00*), as directed by the Resident.
- 5) All inslope and ditches in cut areas shall be regraded to 3:1, or flatter, (*PIN #s 11575.00 and 11576.00*) as directed by the Resident.
- 6) The Contractor shall place suitable existing or other material acceptable to the Resident on all pavement edges to allow no greater than a 1¼" drop off. The material shall be graded to match existing in-slope or as directed by the Resident. On pre-existing in-slopes that have a 1¼" or more drop off the contractor will be paid equipment rental (or some other means if listed in the construction notes) to back up the edge of pavement in these areas. Material needed for the pre-existing areas shall be described in the appropriate area of the construction notes along with the method of payment for this material. In all other areas this work shall be considered incidental to the Contract and no additional payment will be made. Pre-existing areas shall be determined by the Resident and reviewed with the Contractor prior to any paving. Seed and Mulch will be paid for at the contract unit price.
- 7) All waste material not used on the project shall be disposed of off the project in waste areas approved by the Resident.
- 8) Any damage to the slopes caused by the Contractor's equipment, personnel, or operation shall be repaired to the satisfaction of the Resident. All work, equipment and materials required to make repairs shall be at the Contractor's expense.
- 9) A 3ft paved apron shall be placed at all gravel entrances, except woods and field entrances, unless otherwise directed by the Resident.
- 10) Item # 411.10, Untreated Aggregate Surface Course, may also meet the gradation requirements of item # 204.20, Add Shoulder Aggregate.
- 11) Any necessary cleaning of existing pavement prior to paving shall be incidental to the related paving items.
- 12) Temporary lowering of drainage, sewer, and water structures ahead of any roadway treatment shall be considered incidental to the subsequent treatment and no additional payment will be made.

General Notes

NH-1139(800)E
STP-157(500)X
STP-1157(600)X

- 13) The raising of drainage, sewer, and water structures prior to HMA surface treatment when not specified as an item shall be considered incidental to the contract and no addition payment will be made. Flowable fill or HMA 9.5 mm will be used to refill around structures prior to surface treatment and shall be considered incidental to the contract.
- 14) All existing paved shoulders and widenings to be resurfaced as directed by the Resident.
- 15) When super elevation exceeds the slope of the low side shoulder, the shoulder will have same slope as traveled way.
- 16) No existing drainage shall be abandoned, removed or plugged without prior approval of the Resident.
- 17) The following shall be incidental to the 603 item(s):
 - i. Any cutting of existing culverts and or connectors necessary to install new culvert replacements or extensions
 - ii. All pipe excavation including any cutting and removal of pavement
 - iii. All ditching at pipe ends
 - iv. Furnishing, placing, grading, and compacting of any new gravel and/or fill material including Granular Borrow used under pipes and for temporary detours to maintain traffic during pipe installation (excavation is also incidental).
 - v. Granular Borrow under the pipe shall meet the requirements for Underwater Backfill
 - vi. All work necessary to connect to existing pipes
 - vii. Flow lines may be changed by 1.5 ft
 - viii. Any necessary clearing of brush and small trees at culvert ends
- 18) Existing culverts and catch basins will be cleaned as directed by the Resident under the appropriate Pay Items.
- 19) As directed by the Resident, all existing Underdrain Outlets shall be located, cleaned out, and ditched as required or replaced as necessary. Payment will be made under appropriate hourly contract items.
- 20) All connections for Underdrain to roadway culverts will be incidental to U.D. pipe items.
- 21) Two guardrail delineator posts will be installed at the leading end and one at the trailing end of each run of guardrail. One delineator post will also be installed at each underdrain outlet.
- 22) All wood posts on 350 terminal end installation shall be cut so that no more than 1 in is exposed above the beam.

General Notes

NH-1139(800)E
STP-157(500)X
STP-1157(600)X

- 23) 350 Flared Terminals shall be installed concurrently with the placement of each section of beam guardrail.
- 24) Guardrail which is removed and not reused on the project becomes property of the Contractor. Removal, delivery, dismantling, and stacking shall be incidental to the guardrail items. All existing cable guardrail shall be removed and become the property of the Contractor. Removal and disposal shall be considered incidental to the guardrail items.
- 25) Holes created by Guardrail removal will be filled and compacted with approved materials as directed by the Resident. Payment to be considered incidental to the guardrail items.
- 26) During the construction of sidewalk and ADA compliant sidewalk ramps the excavation shall be paid for under item 631.12, gravel will be paid under item 304.103, HMA shall be paid under item 403.209 (mix used in front of curb shall be paid for under item 403.210) and Curb Ramp Detectable Warning Fields, when called for, will be paid for under item 608.26.
- 27) In areas where curb Type 1 will be reset, the existing curb suitable for use as terminal ends shall be utilized as such and paid for under Item 609.38 (Reset Curb Type 1).
- 28) Backing up bituminous curb is incidental to the curb items. In areas where new bituminous curb is designated to replace existing, the removal of the old bituminous curb shall be incidental to the new curb.
- 29) Trim all tree branches to 20 ft above pavement. Payment shall be made under the appropriate labor and equipment rental items.
- 30) Acrylic latex color green (Item 658.20) shall be placed on all paved islands. White pavement/curb marking (Item 627.75) shall be applied to all island tapered ends.
- 31) "Undetermined Locations" shall be determined by the Resident.
- 32) Stations referenced are approximate.
- 33) Grind transition tapers at Catch Basins under Item No. 202.203, Pavement Butt Joints, as directed by the Resident.
- 34) All work shall be done in accordance with the Maine Department of Transportation's Best Management Practices for Erosion Control & Sediment Control, January, 2000.
- 35) The Contractor will final stripe the project. The Contractor is responsible for transferring the existing striping pattern to the surface course.
- 36) All Curb Type 1 will be set in concrete or flowable fill as directed by the Resident.
- 37) All temporary striping on milled surfaces shall be painted.

General Notes

NH-1139(800)E
STP-157(500)X
STP-1157(600)X

- 38) The contractor will be allowed to use millings, as per the contract, as recycled material in their Hot Mix Asphalt. Millings in excess of the recycled quantity will be the property of the State and be delivered and stockpiled at Whiting Hill in Brewer. If option 2 is chosen on PIN 11576.00 material for plant mixed recycled asphalt pavement will come from milled areas in this contract and from Whiting Hill in Brewer if additional material is needed. Loading and trucking of material will be incidental to item 310.23.
- 39) If option 3 is chosen for PIN 11576.00 the material for plant mixed recycled asphalt pavement will come from the removal of pavement in the treatment area. If additional material is needed it shall come from the milled area with no additional payment for loading and trucking of material.
- 40) Night work will be considered by the Department as long as approval is obtained from the municipality in advance.
- 41) Detours will be considered by the Department as long as approval is obtained from the municipality in advance. All detours plans will have to be approved by the Department traffic engineer.
- 42) The Maine Department of Environmental Protection (MDEP) has found evidence of petroleum-related soil contamination beneath the intersection along Route 9 in at the Irving Mainway and Mobil stations located approximately 0.1 and 0.4 miles northeast of the junction with State Street. Available data suggests that this contamination is deeper than any excavation proposed by the Maine Department of Transportation (MDOT) in the area. However, in light of MDEP's findings, the contractor shall employ appropriate health and safety measures to protect its workers against hazards associated with working near petroleum-impacted soils. Furthermore, the Contractor shall remain alert for any additionally evidence of contamination. If the Contractor encounters evidence of soil or groundwater contamination, the Contractor shall secure the excavation, stop work in the contaminated area, and immediately notify the Engineer. The Engineer shall contact the Hydrogeologist in MDOT's Environmental Office at 207-624-3100 and the Maine Department of Environmental Protection at 800-482-0777. Work may only continue with authorization from the Engineer.

General Decision Number: ME030010 07/30/2004 ME10

Superseded General Decision Number: ME020010

State: Maine

Construction Type: Highway

County: Penobscot County in Maine.

HIGHWAY CONSTRUCTION PROJECTS excluding major bridging (for example: bascule, suspension and spandrel arch bridges; those bridging waters presently navigating or to be navigable; and those involving marine construction in any degree); tunnels, building structures in rest area projects and railroad construction.

Modification Number	Publication Date
0	06/13/2003
1	07/30/2004

* ENGI0004-011 04/01/2004

	Rates	Fringes
Power equipment operators:		
Grader.....	\$ 16.51	6.70
Paver.....	\$ 16.51	6.70
Roller.....	\$ 16.51	6.70

SUME2000-009 10/24/2000

	Rates	Fringes
Carpenter		
Including Form Work.....	\$ 11.19	1.72
Cement Mason/Finisher.....	\$ 9.13	
Ironworkers:		
Structural.....	\$ 17.50	1.70
Laborers:		
Landscape.....	\$ 7.84	
Rakers.....	\$ 10.18	2.14
Unskilled.....	\$ 8.73	1.71
Power equipment operators:		
Backhoes.....	\$ 11.81	1.88
Bulldozers.....	\$ 13.12	2.72
Cranes.....	\$ 15.25	1.70
Excavators.....	\$ 11.69	2.40
Loaders.....	\$ 12.21	3.19
Truck drivers:		
Dump.....	\$ 9.27	
Tri Axle.....	\$ 10.63	2.11
Two Axle.....	\$ 9.12	1.63

WELDERS - Receive rate prescribed for craft performing operation to which welding is incidental.
=====

Unlisted classifications needed for work not included within

the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29CFR 5.5 (a) (1) (ii)).

In the listing above, the "SU" designation means that rates listed under the identifier do not reflect collectively bargained wage and fringe benefit rates. Other designations indicate unions whose rates have been determined to be prevailing.

WAGE DETERMINATION APPEALS PROCESS

1.) Has there been an initial decision in the matter? This can be:

- * an existing published wage determination
- * a survey underlying a wage determination
- * a Wage and Hour Division letter setting forth a position on a wage determination matter
- * a conformance (additional classification and rate) ruling

On survey related matters, initial contact, including requests for summaries of surveys, should be with the Wage and Hour Regional Office for the area in which the survey was conducted because those Regional Offices have responsibility for the Davis-Bacon survey program. If the response from this initial contact is not satisfactory, then the process described in 2.) and 3.) should be followed.

With regard to any other matter not yet ripe for the formal process described here, initial contact should be with the Branch of Construction Wage Determinations. Write to:

Branch of Construction Wage Determinations

Wage and Hour Division

U.S. Department of Labor

200 Constitution Avenue, N.W.

Washington, DC 20210

2.) If the answer to the question in 1.) is yes, then an interested party (those affected by the action) can request review and reconsideration from the Wage and Hour Administrator (See 29 CFR Part 1.8 and 29 CFR Part 7). Write to:

Wage and Hour Administrator

U.S. Department of Labor

200 Constitution Avenue, N.W.

Washington, DC 20210

The request should be accompanied by a full statement of the interested party's position and by any information (wage payment data, project description, area practice material, etc.) that the requestor considers relevant to the issue.

3.) If the decision of the Administrator is not favorable, an interested party may appeal directly to the Administrative Review Board (formerly the Wage Appeals Board). Write to:

Administrative Review Board

U.S. Department of Labor

200 Constitution Avenue, N.W.

Washington, DC 20210

4.) All decisions by the Administrative Review Board are final.

=====
END OF GENERAL DECISION

SPECIAL PROVISION 105
CONSTRUCTION AREA

A Construction Area located in the **City of Brewer** has been established by the Maine Department of Transportation (MDOT) in accordance with provisions of 29-A § 2382 Maine Revised Statutes Annotated (MRSA).

- (a) The section of highway under construction in Penobscot County, Project No. NH-1139(800)E is located on Route 9, beginning at State Street and extending easterly 3.73 miles to the Eddington town line.

Per 29-A § 2382 (7) MRSA, the MDOT may *“issue permits for stated periods of time for loads and equipment employed on public way construction projects, United States Government projects or construction of private ways, when within construction areas established by the Department of Transportation. The permit:*

A. Must be procured from the municipal officers for a construction area within that municipality;

B. May require the contractor to be responsible for damage to ways used in the construction areas and may provide for:

(1) Withholding by the agency contracting the work of final payment under contract; or

(2) The furnishing of a bond by the contractor to guarantee suitable repair or payment of damages.

The suitability of repairs or the amount of damage is to be determined by the Department of Transportation on state-maintained ways and bridges, otherwise by the municipal officers;

C. May be granted by the Department of Transportation or by the state engineer in charge of the construction contract; and

D. For construction areas, carries no fee and does not come within the scope of this section.”

The Municipal Officers for the **City of Brewer** agreed that an Overlimit Permit will be issued to the Contractor for the purpose of using loads and equipment on municipal ways in excess of the limits as specified in 29-A MRSA, on the municipal ways as described in the “Construction Area”.

As noted above, a bond may be required by the municipality, the exact amount of said bond to be determined prior to use of any municipal way. The MDOT will assist in determining the bond amount if requested by the municipality.

The maximum speed limits for trucks on any town way will be 25 mph (40 km per hour) unless a higher legal limit is specifically agreed upon in writing by the Municipal Officers concerned.

NH-1139(800)E

STA. 0+00 BEGIN PROJECT

STA. 197+00 END PROJECT



LOCATION MAP



Scale in Miles

SPECIAL PROVISION 105
CONSTRUCTION AREA

A Construction Area located in the **City of Bangor** has been established by the Maine Department of Transportation (MDOT) in accordance with provisions of 29-A § 2382 Maine Revised Statutes Annotated (MRSA).

- (a) The section of highway under construction in Penobscot County, Project No. STP-1157(500)X is located on Union Street (Route 222), beginning 0.26 mi westerly of Sunset Ave. and extending easterly 1.25 miles to Hammond Street.

Per 29-A § 2382 (7) MRSA, the MDOT may *“issue permits for stated periods of time for loads and equipment employed on public way construction projects, United States Government projects or construction of private ways, when within construction areas established by the Department of Transportation. The permit:*

A. Must be procured from the municipal officers for a construction area within that municipality;

B. May require the contractor to be responsible for damage to ways used in the construction areas and may provide for:

(1) Withholding by the agency contracting the work of final payment under contract; or

(2) The furnishing of a bond by the contractor to guarantee suitable repair or payment of damages.

The suitability of repairs or the amount of damage is to be determined by the Department of Transportation on state-maintained ways and bridges, otherwise by the municipal officers;

C. May be granted by the Department of Transportation or by the state engineer in charge of the construction contract; and

D. For construction areas, carries no fee and does not come within the scope of this section.”

The Municipal Officers for the **City of Bangor** agreed that an Overlimit Permit will be issued to the Contractor for the purpose of using loads and equipment on municipal ways in excess of the limits as specified in 29-A MRSA, on the municipal ways as described in the “Construction Area”.

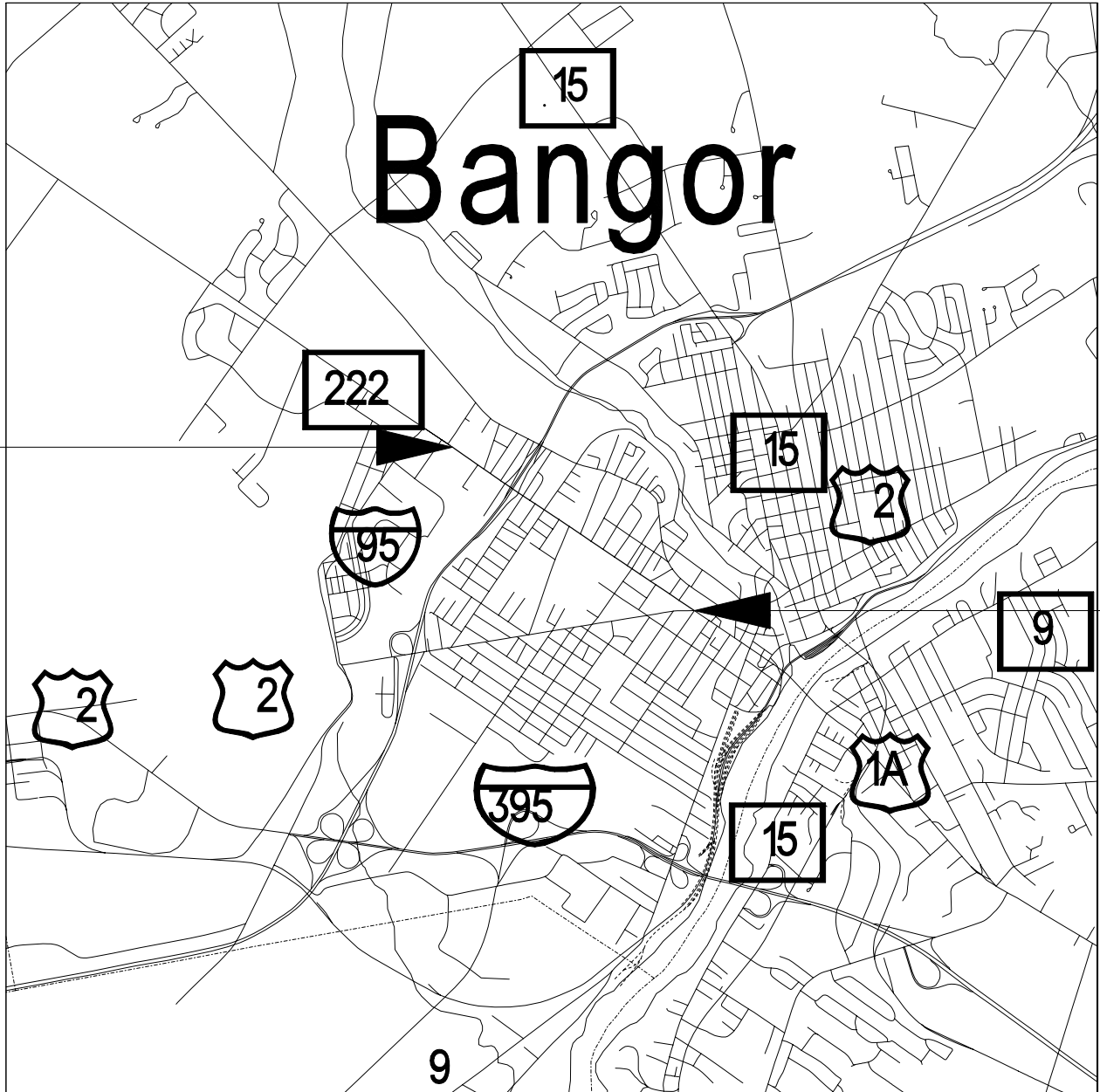
As noted above, a bond may be required by the municipality, the exact amount of said bond to be determined prior to use of any municipal way. The MDOT will assist in determining the bond amount if requested by the municipality.

The maximum speed limits for trucks on any town way will be 25 mph (40 km per hour) unless a higher legal limit is specifically agreed upon in writing by the Municipal Officers concerned.

STP - 1157(500) X

BEGIN PROJECT STA. 10+00

END PROJECT STA. 75+85



LOCATION MAP



Scale in Miles

SPECIAL PROVISION 105
CONSTRUCTION AREA

A Construction Area located in the **City of Brewer** has been established by the Maine Department of Transportation (MDOT) in accordance with provisions of 29-A § 2382 Maine Revised Statutes Annotated (MRSA).

- (a) The section of highway under construction in Penobscot County, Project No. STP-1157(600)X is located on Eastern Avenue, beginning at Pierce Road and extending westerly 1.39 miles to State Street.

Per 29-A § 2382 (7) MRSA, the MDOT may *“issue permits for stated periods of time for loads and equipment employed on public way construction projects, United States Government projects or construction of private ways, when within construction areas established by the Department of Transportation. The permit:*

A. Must be procured from the municipal officers for a construction area within that municipality;

B. May require the contractor to be responsible for damage to ways used in the construction areas and may provide for:

(1) Withholding by the agency contracting the work of final payment under contract; or

(2) The furnishing of a bond by the contractor to guarantee suitable repair or payment of damages.

The suitability of repairs or the amount of damage is to be determined by the Department of Transportation on state-maintained ways and bridges, otherwise by the municipal officers;

C. May be granted by the Department of Transportation or by the state engineer in charge of the construction contract; and

D. For construction areas, carries no fee and does not come within the scope of this section.”

The Municipal Officers for the **City of Brewer** agreed that an Overlimit Permit will be issued to the Contractor for the purpose of using loads and equipment on municipal ways in excess of the limits as specified in 29-A MRSA, on the municipal ways as described in the “Construction Area”.

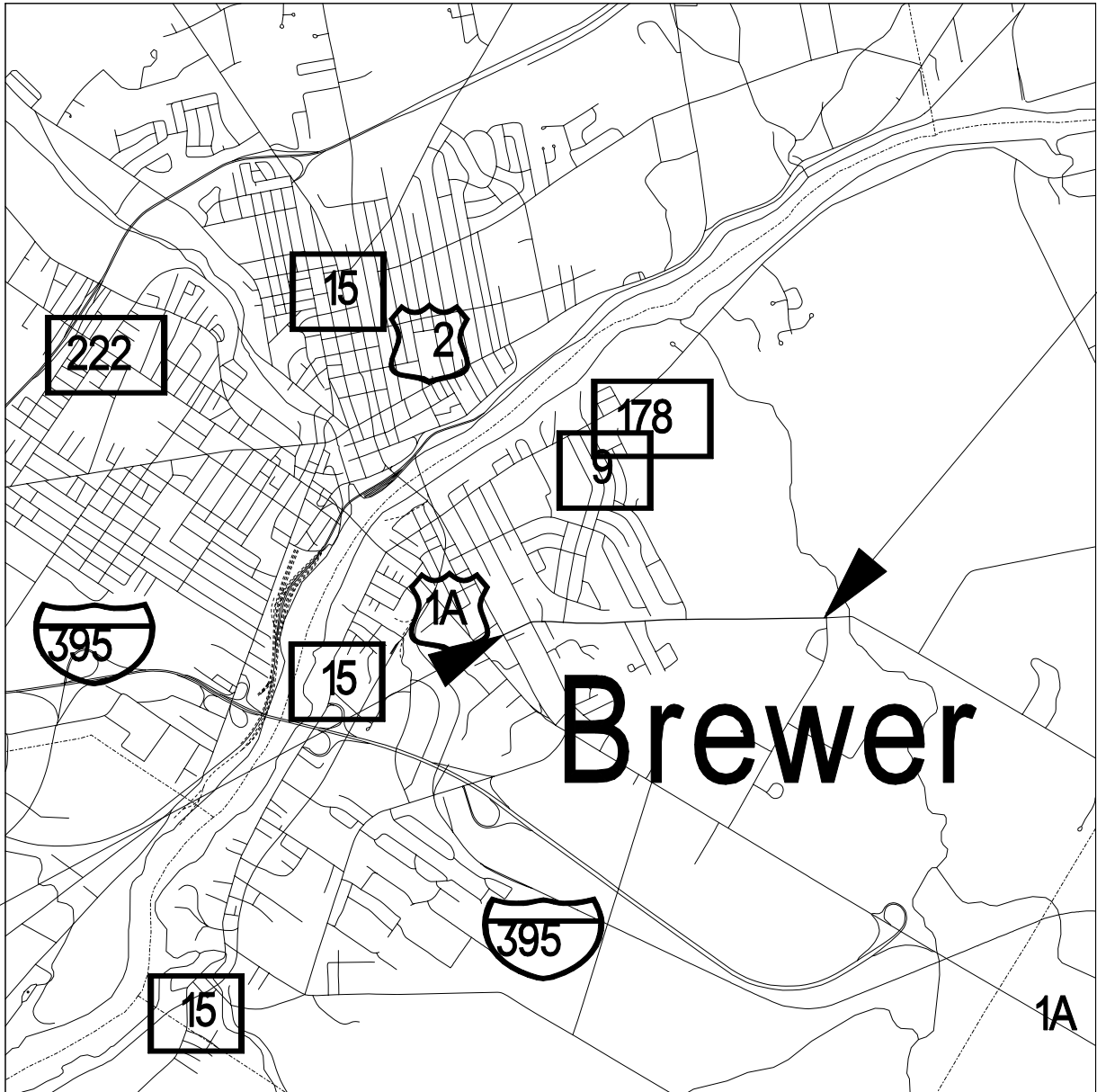
As noted above, a bond may be required by the municipality, the exact amount of said bond to be determined prior to use of any municipal way. The MDOT will assist in determining the bond amount if requested by the municipality.

The maximum speed limits for trucks on any town way will be 25 mph (40 km per hour) unless a higher legal limit is specifically agreed upon in writing by the Municipal Officers concerned.

STP - 1157(600) X

BEGIN PROJECT STA. 10+00

END PROJECT STA. 83+45



LOCATION MAP



Scale in Kilometers

SPECIAL PROVISION
CONSTRUCTION AREA

Title 29A, M.R.S.A., Subsection 2383. Overlimit movement permits

1. Overlimit movement permits issued by State. The Secretary of State, acting under guidelines and advice of the Commissioner of Transportation, may grant permits to move non-divisible objects having a length, width, height or weight greater than specified in this Title over a way or bridge maintained by the Department of Transportation.
2. Permit Fee. The Secretary of State, with the advice of the Commissioner of Transportation, may set the fee for these permits, at not less than \$3, nor more than \$15, based on weight, height, length and width.
3. County and municipal permits. A permit may be granted, for a reasonable fee, by county commissioners or municipal officers for travel over a way or bridge maintained by that county or municipality.
4. Permits for weight. A vehicle granted a permit for excess weight must first be registered for the maximum gross vehicle weight allowed for that vehicle.
5. Special mobile equipment. The Secretary of State may grant a permit, for no more than one year, to move pneumatic-tire equipment under its own power, including Class A and Class B special mobile equipment, over ways and bridges maintained by the Department of Transportation. The fee for that permit is \$15 for each 30-day period.
6. Scope of permit. A permit is limited to the particular vehicle or object to be moved and particular ways and bridges.
7. Construction permits. A permit for a stated period of time may be issued for loads and equipment employed on public way construction projects, United States Government projects or construction of private ways, when within construction areas established by the Department of Transportation. The Permit:
 - A. Must be procured from the municipal officers for a construction area within that municipality;
 - B. May require the Contractor to be responsible for damage to ways used in the construction areas and may provide for:
 - (1) Withholding by the agency of the work of final payment under contract; or
 - (2) The furnishing of a bond by the Contractor to guarantee suitable repair or payment of damages.
 - C. May be granted by the Department of Transportation or by the state engineer in charge of the construction contract; and
 - D. For construction areas, carries no fee and does not come within the scope of this section.
8. Gross vehicle weight permits. The following may grant permits to operate a vehicle having a gross vehicle weight exceeding the prescribed limit:

- A. The Secretary of State, with the consent of the Department of Transportation, for state and state aid highways and bridges within city or compact village limits;
 - B. Municipal officers, for all other ways and bridges within that city and compact village limits; and
 - C. The county commissioners, for county roads and bridges located in unorganized territory.
9. Pilot vehicles and state police escorts. Pilot vehicles required by a permit must be equipped with warning lights and signs as required by the Secretary of State with the advice of the Department of Transportation.

Warning lights may only be operated and lettering on the signs may only be visible on a pilot vehicle while it is escorting on a public way a vehicle with a permit.

The Secretary of State shall require a State Police escort for a single vehicle or a combination of vehicles of 125 feet or more in length or 16 feet or more in width. The Secretary of State, with the advice of the Commissioner of Transportation, may require vehicles of lesser dimensions to be escorted by the State Police.

The Bureau of State Police shall establish a fee for State Police escorts.

All fees collected must be used to defray the cost of services provided.

With the advice of the Commissioner of Transportation and the Chief of the State Police, the Secretary of State shall establish rules for the operation for the operation of pilot vehicles.

10. Taxes paid. A permit for a mobile home may not be granted unless the applicant provides reasonable assurance that all property taxes, sewage disposal charges and drain and sewer assessments applicable to the mobile home, including those for the current tax year, have been paid or that the mobile home is exempt from those taxes.

1993, c. 683, § S-2, eff. January 1, 1995.

Historical and Statutory Notes

Derivation:

R.S. 1954, c. 22 § 98
Laws 1955, c. 389
Laws 1967, c. 3.
Laws 1971, c. 593, § 22.
Laws 1973, c. 213.
Laws 1975, c. 130, §
Laws 1975, c. 319, § 2

Laws 1977, c. 73, § 5.
Laws 1981, c. 413.
Laws 1985, c. 225, § 1
Laws 1987, c. 52.
Laws 1987, 781, § 3.
Laws 1989, c. 866, § B-13.
Laws 1991, c. 388, § 8.
Laws 1993, c. 683, § A-1.
Former 29 M.R.S.A. § 2382.

Cross Reference

Collection by Secretary of State, See 29-A
M.R.S.A. § 154.

SPECIAL PROVISION
(Consolidated Special Provisions)

SPECIAL PROVISION SECTION 101
CONTRACT INTERPRETATION

101.2 Definitions

Closeout Documentation Replace the sentence “A letter stating the amount. DBE goals.” with “DBE Goal Attainment Verification Form”

Add **Environmental Information** Hazardous waste assessments, dredge material test results, boring logs, geophysical studies, and other records and reports of the environmental conditions. For a related provision, see Section 104.3.14 - Interpretation and Interpolation.”

Add **Fabrication Engineer** The Department’s representative responsible for Quality Assurance of pre-fabricated products that are produced off-site.”

Geotechnical Information Replace with the following: “Boring logs, soil reports, geotechnical design reports, ground penetrating radar evaluations, seismic refraction studies, and other records of subsurface conditions. For a related provision, see Section 104.3.14 - Interpretation and Interpolation.”

SPECIAL PROVISION SECTION 102
DELIVERY OF BIDS
(Location and Time)

102.7.1 Location and Time Add the following sentence “As a minimum, the Bidder will submit a Bid Package consisting of the Notice to Contractors, the completed Acknowledgement of Bid Amendments & Submission of Bid Bond Validation Number form, the completed Schedule of Items, 2 copies of the completed Agreement, Offer, & Award form, a Bid Bond or Bid Guarantee, and any other Certifications or Bid Requirements listed in the Bid Book.”

SPECIAL PROVISION SECTION 103
AWARD AND CONTRACTING

103.3.1 Notice and Information Gathering Change the first paragraph to read as follows: “After Bid Opening and as a condition for Award of a Contract, the Department may require an Apparent Successful Bidder to demonstrate to the Department’s satisfaction that the Bidder is responsible and qualified to perform the Work.”

SPECIAL PROVISION SECTION 104 **GENERAL RIGHTS AND RESPONSIBILITIES**

104.3.14 Interpretation and Interpolation In the first sentence, change "...and Geotechnical Information." to "...Environmental Information, and Geotechnical Information."

Delete the entire Section 104.5.9 and replace with the following:

104.5.9 Landscape Subcontractors The Contractor shall retain only Landscape Subcontractors that are certified by the Department's Environmental Office Landscape Unit.

SPECIAL PROVISION SECTION 105 **GENERAL SCOPE OF WORK**

Delete the entire Section 105.6 and replace with the following:

105.6.1 Department Provided Services The Department will provide the Contractor with the description and coordinates of vertical and horizontal control points, set by the Department, within the Project Limits, for full construction Projects and other Projects where survey control is necessary. For Projects of 1,500 feet in length, or less: The Department will provide three points. For Projects between 1,500 and 5,000 feet in length: The Department will provide one set of two points at each end of the Project. For Projects in excess of 5,000 feet in length, the Department will provide one set of two points at each end of the Project, plus one additional set of two points for each mile of Project length. For non-full construction Projects and other Projects where survey control is not necessary, the Department will not set any control points and, therefore, will not provide description and coordinates of any control points. Upon request of the Contractor, the Department will provide the Department's survey data management software and Survey Manual to the Contractor, or its survey Subcontractor, for the exclusive use on the Department's Projects.

105.6.2 Contractor Provided Services Utilizing the survey information and points provided by the Department, described in Subsection 105.6.1, Department Provided Services, the Contractor shall provide all additional survey layout necessary to complete the Work. This may include, but not be limited to, reestablishing all points provided by the Department, establishing additional control points, running axis lines, providing layout and maintenance of all other lines, grades, or points, and survey quality control to ensure conformance with the Contract. The Contractor is also responsible for providing construction centerline, or close reference points, for all Utility Facilities relocations and adjustments as necessary to complete the Work. When the Work is to connect with existing Structures, the Contractor shall verify all dimensions before proceeding with the Work. The Contractor shall employ or retain competent engineering and/or surveying personnel to fulfill these responsibilities.

The Contractor must notify the Department of any errors or inconsistencies regarding the data and layout provided by the Department as provided by Section 104.3.3 - Duty to Notify Department If Ambiguities Discovered.

105.6.2.1 Survey Quality Control The Contractor is responsible for all construction survey quality control. Construction survey quality control is generally defined as, first, performing initial field survey layout of the Work and, second, performing an independent check of the initial layout using independent survey data to assure the accuracy of the initial layout; additional iterations of checks may be required if significant discrepancies are discovered in this process. Construction survey layout quality control also requires written documentation of the layout process such that the process can be followed and repeated, if necessary, by an independent survey crew.

105.6.3 Survey Quality Assurance It is the Department's prerogative to perform construction survey quality assurance. Construction survey quality assurance may, or may not, be performed by the Department. Construction survey quality assurance is generally defined as an independent check of the construction survey quality control. The construction survey quality assurance process may involve physically checking the Contractor's construction survey layout using independent survey data, or may simply involve reviewing the construction survey quality control written documentation. If the Department elects to physically check the Contractor's survey layout, the Contractor's designated surveyor may be required to be present. The Department will provide a minimum notice of 48 hours to the Contractor, whenever possible, if the Contractor's designated surveyor's presence is required. Any errors discovered through the quality assurance process shall be corrected by the Contractor, at no additional cost to the Department.

105.6.4 Boundary Markers The Contractor shall preserve and protect from damage all monuments or other points that mark the boundaries of the Right-of-Way or abutting parcels that are outside the area that must be disturbed to perform the Work. The Contractor indemnifies and holds harmless the Department from all claims to reestablish the former location of all such monuments or points including claims arising from 14 MRSA § 7554-A. For a related provision, see Section 104.3.11 - Responsibility for Property of Others.

SPECIAL PROVISION SECTION 106 QUALITY

106.6 Acceptance Add the following to paragraph 1 of A: "This includes Sections 401 - Hot Mix Asphalt, 402 - Pavement Smoothness, and 502 - Structural Concrete - Method A - Air Content."

Add the following to the beginning of paragraph 3 of A: "For pay factors based on Quality Level Analysis, and"

SPECIAL PROVISION SECTION 107
TIME

107.3.1 General Add the following: “If a Holiday occurs on a Sunday, the following Monday shall be considered a Holiday. Sunday or Holiday work must be approved by the Department, except that the Contractor may work on Martin Luther King Day, President’s Day, Patriot’s Day, the Friday after Thanksgiving, and Columbus Day without the Department’s approval.”

107.7.2 Schedule of Liquidated Damages Replace the table of Liquidated Damages with the following:

From More Than	Up to and Including	Amount of Liquidated Damages per Calendar Day
\$0	\$100,000	\$100
\$100,000	\$300,000	\$200
\$300,000	\$500,000	\$400
\$500,000	\$1,000,000	\$575
\$1,000,000	\$2,000,000	\$750
\$2,000,000	\$4,000,000	\$900
\$4,000,000	and more	\$1,875

SPECIAL PROVISION SECTION 108
PAYMENT

108.4 Payment for Materials Obtained and Stored First paragraph, second sentence, delete the words “...Delivered on or near the Work site at acceptable storage places.”

SPECIAL PROVISION SECTION 109
CHANGES

109.1.1 Changes Permitted Add the following to the end of the paragraph: “There will be no adjustment to Contract Time due to an increase or decrease in quantities, compared to those estimated, except as addressed through Contract Modification(s).”

109.1.2 Substantial Changes to Major Items Add the following to the end of the paragraph: “Contract Time adjustments may be made for substantial changes to Major Items when the change affects the Critical Path, as determined by the Department”

109.4.4 Investigation / Adjustment In the third sentence, delete the words “subsections (A) - (E)”

109.5.1 Definitions - Types of Delays

B. Compensable Delay Replace (1) with the following: “a weather related Uncontrollable Event of such an unusually severe nature that a Federal Emergency Disaster is declared. The

Contractor will only be entitled to an Equitable Adjustment if the Project falls within the geographic boundaries prescribed under the disaster declaration.”

109.7.2 Basis of Payment Replace with the following: “Equitable Adjustments will be established by mutual Agreement for compensable items listed in Section 109.7.3- Compensable Items, based upon Unit or Lump Sum Prices. If Agreement cannot be reached, the Contractor shall accept payment on a Force Account basis as provided in Section 109.7.5 - Force Account Work, as full and complete compensation for all Work relating to the Equitable Adjustment.”

109.7.3 Compensable Items Replace with the following: “The Contractor is entitled to compensation for the following items, with respect to agreed upon Unit or Lump Sum Prices:

1. Labor expenses for non-salaried Workers and salaried foremen.
2. Costs for Materials.
3. A 15 % markup on the totals of Items 1 and 2 of this subsection 109.7.3 for home office overhead and profit of the Contractor, its Subcontractors and suppliers, and any lower tier Subcontractors or suppliers, with no mark-ups on mark-ups.
4. Cost for Equipment, based on Blue Book Rates or leased rates, as set forth in Section 109.7.5(C), or the Contractor’s Actual Costs if determined by the Department to be lower.
5. Costs for extended job-site overhead.
6. Time.
7. Subcontractor quoted Work, as set forth below in Section 109.7.5 (F).”

109.7.5 Force Account Work

C. Equipment

Paragraph 2, delete sentence 1 which starts; “Equipment leased....”

Paragraph 6, change sentence 2 from “The Contractor may furnish...” to read “If requested by the Department, the Contractor will produce cost data to assist the Department in the establishment of such rental rate, including all records that are relevant to the Actual Costs including rental Receipts, acquisition costs, financing documents, lease Agreements, and maintenance and operational cost records.”

Add the following paragraph; “Equipment leased by the Contractor for Force Account Work and actually used on the Project will be paid for at the actual invoice amount plus 10% markup for administrative costs.”

Add the following section;

“F. Subcontractor Quoted Work When accomplishing Force Account Work that utilizes Subcontractor quoted Work, the Contractor will be allowed a maximum markup of 5% for profit and overhead.”

SPECIAL PROVISION SECTION 110 INDEMNIFICATION, BONDING, AND INSURANCE

Delete the entire Section 110.2.3 and replace with the following:

110.2.3 Bonding for Landscape Establishment Period The Contractor shall provide a signed, valid, and enforceable Performance, Warranty, or Maintenance Bond complying with the Contract, to the Department at Final Acceptance.

The bond shall be in the full amount for all Pay Items for work pursuant to Sec 621, Landscape, payable to the “Treasurer - State of Maine,” and on the Department’s forms, on exact copies thereof, or on forms that do not contain any significant variations from the Department’s forms as solely determined by the Department.

The Contractor shall pay all premiums and take all other actions necessary to keep said bond in effect for the duration of the Landscape Establishment Period described in Special Provision 621.0036 - Establishment Period. If the Surety becomes financially insolvent, ceases to be licensed or approved to do business in the State of Maine, or stops operating in the United States, the Contractor shall file new bonds complying with this Section within 10 Days of the date the Contractor is notified or becomes aware of such change.

All Bonds shall be procured from a company organized and operating in the United States, licensed or approved to do business in the State of Maine by the State of Maine Department of Business Regulation, Bureau of Insurance, and listed on the latest Federal Department of the Treasury listing for “Companies Holding Certificates of Authority as Acceptable Sureties on Federal Bonds and as Acceptable Reinsuring Companies.”

By issuing a bond, the Surety agrees to be bound by all terms of the Contract, including those related to payment, time for performance, quality, warranties, and the Department’s self-help remedy provided in Section 112.1 - Default to the same extent as if all terms of the Contract are contained in the bond(s).

Regarding claims related to any obligations covered by the bond, the Surety shall provide, within 60 Days of Receipt of written notice thereof, full payment of the entire claim or written notice of all bases upon which it is denying or contesting payment. Failure of the Surety to provide such notice within the 60-day period constitutes the Surety’s waiver of any right to deny or contest payment and the Surety’s acknowledgment that the claim is valid and undisputed.

SPECIAL PROVISION SECTION 401 HOT MIX ASPHALT PAVEMENT

401.18 Quality Control Method A & B Make the following change to paragraph a. QCP Administrator; in the final sentence, change "...certified as a Plant Technician or Paving Inspector..." to "...certified as a Quality Assurance Technologist..."

401.201 Method A Under a. Lot Size, add the following; "Each lot will be divided into a minimum of four sublots for mix properties and five sublots for percent TMD."

SPECIAL PROVISION SECTION 402 PAVEMENT SMOOTHNESS

Add the following: "Projects to have their pavement smoothness analyzed in accordance with this Specification will be so noted in Special Provision 403 - Bituminous Box."

"402.02 Lot Size Lot size for smoothness will be 1000 lane-meters [3000 lane-feet]. A subplot will consist of 20 lane-meters [50 lane-feet]. Partial lots will be included in the previous lot if less than one-half the size of a normal lot. If greater than one-half the normal lot size, it will be tested as a separate lot."

SPECIAL PROVISION SECTION 502 STRUCTURAL CONCRETE

502.05 Composition and Proportioning; TABLE #1; NOTE #2; third sentence; Change "...alcohol based saline sealer..." to "alcohol based silane sealer...". Add NOTE #6 to Class S Concrete.

502.0502 Quality Assurance Method A - Rejection by Resident Change the first sentence to read: "For an individual subplot with test results failing to meet the criteria in Table #1, or if the calculated pay factor for Air Content is less than 0.80....."

502.0503 Quality Assurance Method B - Rejection by Resident Change the first sentence to read: "For material represented by a verification test with test results failing to meet the criteria in Table #1, the Department will....."

502.0505 Resolution of Disputed Acceptance Test Results Combine the second and third sentence to read: "Circumstances may arise, however, where the Department may"

502.10 Forms and False work

D. Removal of Forms and False work 1., First paragraph; first, second, and third sentence; replace "forms" with "forms and false work"

502.11 Placing Concrete

G. Concrete Wearing Surface and Structural Slabs on Precast Superstructures Last paragraph; third sentence; replace “The temperature of the concrete shall not exceed 24° C [75° F] at the time of placement.” with “The temperature of the concrete shall not exceed 24° C [75° F] at the time the concrete is placed in its final position.”

502.15 Curing Concrete First paragraph; replace the first sentence with the following; “All concrete surfaces shall be kept wet with clean, fresh water for a curing period of at least 7 days after concrete placing, with the exception of vertical surfaces as provided for in Section 501.10 (D) - Removal of Forms and False work.”

Second paragraph; delete the first two sentences.

Third paragraph; delete the entire paragraph which starts “When the ambient temperature...”

Fourth paragraph; delete “approved” to now read “...continuously wet for the entire curing period...”

Fifth paragraph; second sentence; change “...as soon as it is possible to do so without damaging the concrete surface.” to “...as soon as possible.”

Seventh paragraph; first sentence; change “...until the end of the curing period.” to “...until the end of the curing period, except as provided for in Section 502.10(D) - Removal of Forms and False work.”

SPECIAL PROVISION SECTION 503
REINFORCING STEEL

503.06 Placing and Fastening Change the second paragraph, first sentence from: “All tack welding shall be done in accordance with Section 504, Structural Steel.” to “All tack welding shall be done in accordance with AWS D1.4 Structural Welding Code - Reinforcing Steel.”

SPECIAL PROVISION SECTION 504
STRUCTURAL STEEL

504.09 Facilities for Inspection Add the follow as the last paragraph: “Failure to comply with the above requirements will be consider to be a denial to allow access to work by the Contractor. The Department will reject any work done when access for inspection is denied.”

504.18 Plates for Fabricated Members Change the second paragraph, first sentence from: “...ASTM A 898/A 898 M...” to “...ASTM A 898/A 898 M or ASTM A 435/A 435 M as applicable and...”

504.31 Shop Assembly Add the following as the last sentence: “The minimum assembly length shall include bearing centerlines of at least two substructure units.”

SPECIAL PROVISION SECTION 535
PRECAST, PRESTRESSED CONCRETE SUPERSTRUCTURE

535.02 Materials Change “Steel Strand for Concrete Reinforcement” to “Steel Strand.” Add the following to the beginning of the third paragraph; “Concrete shall be Class P conforming to the requirements in this section. 28 day compressive strength shall be as stated on the plans. Coarse aggregate....”

535.05 Inspection Facilities Add the follow as the last paragraph: “Failure to comply with the above requirements will be consider to be a denial to allow access to work by the Contractor. The Department will reject any work done when access for inspection is denied.”

535.26 Lateral Post-Tensioning Replace the first paragraph; “A final tension...” with “Overstressing strands for setting losses cannot be accomplished for chuck to chuck lengths of 7.6 m [25 ft] and less. In such instances, refer to the Plans for all materials and methods. Otherwise, post-tensioning shall be in accordance with PCI standards and shall provide the anchorage force noted in the Plans. The applied jacking force shall be no less than 100% of the design jacking force.”

SPECIAL PROVISION SECTION 603
PIPE CULVERTS AND STORM DRAINS

603.0311 Corrugated Polyethylene Pipe for Option III Replace the Minimum Mandrel Diameter Table with the following:

Nominal Size US Customary (in)	Minimum Mandrel Diameter (in)	Nominal Size Metric (mm)	Minimum Mandrel Diameter (mm)
12	11.23	300	280.73
15	14.04	375	350.91
18	16.84	450	421.09
24	22.46	600	561.45
30	28.07	750	701.81
36	33.69	900	842.18
42	39.30	1050	982.54
48	44.92	1200	1122.90

SPECIAL PROVISION SECTION 604
MANHOLES, INLETS, AND CATCH BASINS

604.02 Materials Add the following:

“Tops and Traps	712.07
Corrugated Metal Units	712.08
Catch Basin and Manhole Steps	712.09”

SPECIAL PROVISION SECTION 605
UNDERDRAINS

605.05 Underdrain Outlets Make the following change:

In the first paragraph, second sentence, delete the words “metal pipe”.

SPECIAL PROVISION SECTION 606
GUARDRAIL

606.02 Materials Delete the entire paragraph which reads “The sole patented supplier of multiple mailbox...” and replace with “Acceptable multiple mailbox assemblies shall be listed on the Department’s Approved Products List and shall be NCHRP 350 tested and approved.”

Delete the entire paragraph which reads “Retroreflective beam guardrail delineators...” and replace with “Reflectorized sheeting for Guardrail Delineators shall meet the requirements of Section 719.01 - Reflective Sheeting. Delineators shall be fabricated from high-impact, ultraviolet and weather resistant thermoplastic.

606.09 Basis of Payment First paragraph; delete the second and third sentence in their entirety and replace with “Butterfly-type guardrail reflectorized delineators shall be mounted on all W-beam guardrail at an interval of every 10 posts [62.5 ft] on tangents sections and every 5 posts [31.25 ft] on curved sections as directed by the Resident. On divided highways, the delineators shall be yellow on the left hand side and silver/white on the right hand side. On two-way roadways, the delineators shall be silver/white on the right hand side. All delineators shall have retroreflective sheeting applied to only the traffic facing side. Reflectorized guardrail delineators will not be paid for directly, but will be considered incidental to the guardrail items.”

SPECIAL PROVISION SECTION 615
LOAM

615.02 Materials Make the following change:

Organic Content

Percent by Volume

Humus

“5% - 10%”, as determined by Ignition Test

SPECIAL PROVISION SECTION 618
SEEDING

618.01 Description Change the first sentence to read as follows: “This work shall consist of furnishing and applying seed” Also remove “,and cellulose fiber mulch” from 618.01(a).

618.03 Rates of Application In 618.03(a), remove the last sentence and replace with the following:
“These rates shall apply to Seeding Method 2, 3, and Crown Vetch.”

In 618.03(c) “1.8 kg [4 lb]/unit.” to “1.95 kg [4 lb]/unit.”

618.09 Construction Method In 618.09(a) 1, sentence two, replace “100 mm [4 in]” with “25 mm [1 in] (Method 1 areas) and 50 mm [2 in] (Method 2 areas)”

618.15 Temporary Seeding Change the Pay Unit from Unit to Kg [lb].

SPECIAL PROVISION SECTION 620 GEOTEXTILES

620.03 Placement Section (c)

Title: Replace “Non-woven” in title with “Erosion Control”.

First Paragraph: Replace first word “Non-woven” with “Woven monofilament”.

Second Paragraph: Replace second word “Non-woven” with “Erosion Control”.

620.07 Shipment, Storage, Protection and Repair of Fabric Section (a)

Replace the second sentence with the following: “Damaged geotextiles, as identified by the Resident, shall be repaired immediately.”

620.09 Basis of Payment

Pay Item 620.58: Replace “Non-woven” with “Erosion Control”

Pay Item 620.59: Replace “Non-woven” with “Erosion Control”

SPECIAL PROVISION SECTION 621 LANDSCAPING

621.0036 Establishment Period In paragraph 4 and 5, change “time of Final Acceptance” to “end of the period of establishment”. In Paragraph 7, change “Final Acceptance date” to “end of the period of establishment” and change “date of Final Acceptance” to “end of the period of establishment”.

SPECIAL PROVISION SECTION 626 HIGHWAY SIGNING

626.034 Concrete Foundations Add to the following to the end of the second paragraph: “Pre-cast and cast-in-place foundations shall be warranted against leaning and corrosion for two years after the project is completed. If the lean is greater than 2 degrees from normal or the foundation is spalling within the first two years, the Contractor shall replace the foundation at no extra cost.”

SPECIAL PROVISION SECTION 637 DUST CONTROL

637.06 Basis of Payment Add the following after the second sentence of the third paragraph: “Failure by the Contractor to follow Standard Specification or Special Provision - Section 637 and/or the Contractor’s own Soil Erosion and Pollution Control Plan concerning Dust Control and/or the Contractor’s own Traffic Control Plan concerning Dust Control and/or visible evidence of excessive dust problems, as determined by the Resident, will result in a reduction in payment, computed by reducing the Lump Sum Total by 5% per occurrence per day. The Department’s Resident or any other representative of the Department reserves the right to suspend the work at any time and request a meeting to discuss violations and remedies. The Department shall not be held responsible for any delay in the work due to any suspension under this item. Additional penalties may also be assessed in accordance with Special Provision 652 - Work Zone Traffic Control and Standard Specification 656 - Temporary Soil Erosion and Water Pollution Control.”

SPECIAL PROVISION SECTION 639 ENGINEERING FACILITIES

639.04 Field Offices Change the forth to last paragraph from: “The Contractor shall provide a fully functional desktop copier...” to “....desktop copier/scanner...”

SPECIAL PROVISION SECTION 652 MAINTENANCE OF TRAFFIC

652.3.3 Submittal of Traffic Control Plan In item e. change “A list of all certified flaggers...” to “A list of all the Contractor’s certified flaggers...”

652.3.5 Installation of Traffic Control Devices In the first paragraph, first sentence; change “Signs shall be erected...” to “Portable signs shall be erected..” In the third sentence; change “Signs must be erected so that the sign face...” to “Post-mounted signs must also be erected so that the sign face...”

652.4 Flaggers Replace the first paragraph with the following; “The Contractor shall furnish flaggers as required by the TCP or as otherwise specified by the Resident. All flaggers must have successfully completed a flagger test approved by the Department and administered by a Department-approved Flagger-Certifier who is employing that flagger. All flaggers must carry an official certification card with them while flagging that has been issued by their employer. Flaggers shall wear safety apparel meeting ANSI 107-1999 Class 2 risk exposure and clearly identify the wearer as a person, shall be visible at a minimum distance of 300 m [1000 ft], and shall wear a hardhat with retroreflectivity. For nighttime conditions, Class 3 apparel should be considered, retroreflective or flashing SLOW/STOP paddles shall be used, and except in emergency situations the flagger station shall be illuminated to assure visibility.”

Second paragraph, first sentence; change "...have sufficient distance to stop before entering the workspace." to "...have sufficient distance to stop at the intended stopping point." Third sentence; change "At a spot obstruction..." to "At a spot obstruction with adequate sight distance..."

Fourth paragraph, second sentence; change "The Contractor shall furnish sufficient spare trained flaggers..." to "The Contractor shall furnish sufficient spare certified flaggers..."

652.8.2 Other Items Replace the last paragraph with the following: "There will be no payment made under any 652 pay items after the expiration of the adjusted total contract time."

SPECIAL PROVISION SECTION 653 **POLYSTYRENE PLASTIC INSULATION**

653.05 Placing Backfill In the second sentence; change "...shall be not less than 150 mm [6 in] loose measure." to "...shall be not less than 250 mm [10 in] loose measure." In the third sentence; change "...crawler type bulldozer of not more than 390 kg/m² [80 lb/ft²] ground contact pressure..." to "...crawler type bulldozer of not more than 4875 kg/m² [2000 lb/ft²] ground contact pressure..."

653.06 Compaction In the last sentence; change "...crawler type bulldozer of not more than 390 kg/m² [80 lb/ft²] ground contact pressure..." to "...crawler type bulldozer of not more than 4875 kg/m² [2000 lb/ft²] ground contact pressure..."

SPECIAL PROVISION SECTION 656 **TEMPORARY SOIL EROSION AND WATER POLLUTION CONTROL**

656.5.1 If Pay Item 656.75 Provided Replace the second paragraph with the following: "Failure by the Contractor to follow Standard Specification or Special Provision - Section 656 and/or the Contractor's own Soil Erosion and Pollution Control Plan will result in a reduction in payment, computed by reducing the Lump Sum Total by 5% per occurrence per day. The Department's Resident or any other representative of the Department reserves the right to suspend the work at any time and request a meeting to discuss violations and remedies. The Department shall not be held responsible for any delay in the work due to any suspension under this item."

SPECIAL PROVISION SECTION 701 **STRUCTURAL CONCRETE RELATED MATERIALS**

701.10 Fly Ash - Chemical Requirements Change all references from "ASTM C311" to "ASTM C114".

SPECIAL PROVISION SECTION 703
AGGREGATES

703.06 Aggregate for Base and Subbase Delete the first paragraph: "The material shall have..." and replace with "The material shall have a minimum degradation value of 15 as determined by Washington State DOT Test Method T113, Method of Test for Determination of Degradation Value (March 2002 version), except that the reported degradation value will be the result of testing a single specimen from that portion of a sample that passes the 12.5 mm [½ in] sieve and is retained on the 2.00 mm [No. 10] sieve, minus any reclaimed asphalt pavement used."

703.07 Aggregates for HMA Pavements Delete the forth paragraph: "The composite blend shall have..." and replace with "The composite blend, minus any reclaimed asphalt pavement used, shall have a Micro-Deval value of 18.0 or less as determined by AASHTO TP 58. In the event the material exceeds the Micro Deval limit, a Washington Degradation test shall be performed. The material shall be acceptable if it has a value of 30 or more as determined by Washington State DOT Test Method T 113, Method of Test for Determination of Degradation Value (March 2002 version) except that the reported degradation value will be the result of testing a single composite specimen from that portion of the sample that passes the 12.5mm [1/2 inch] sieve and is retained on the 2.00mm [No 10] sieve, minus any reclaimed asphalt pavement used."

703.22 Underdrain Backfill Material Change the first paragraph from "...for Underdrain Type B..." to "...for Underdrain Type B and C..."

SPECIAL PROVISION SECTION 706
NON-METALLIC PIPE

706.06 Corrugated Polyethylene Pipe for Underdrain, Option I and Option III Culvert Pipe Change the first sentence from "...300 mm diameters to 900 mm" to "...300 mm diameters to 1200 mm" Delete, in it's entirety, the last sentence which begins "This pipe and resins..." and replace with the following; "The manufacturing plants of polyethylene pipe shall be certified by the Eastern States Consortium. Polyethylene pipe shall be accepted based on third party certification by the AASHTO's National Transportation Product Evaluation Program."

SPECIAL PROVISION SECTION 709
REINFORCING STEEL AND WELDED STEEL WIRE FABIC

709.03 Steel Strand Change the second paragraph from "...shall be 12mm [½ inch] AASHTO M203M/M203 (ASTM A416/A416M)..." to "...shall be 15.24 mm [0.600 inch] diameter AASHTO M203 (ASTM A416)..."

SPECIAL PROVISION SECTION 710
FENCE AND GUARDRAIL

710.03 Chain Link Fabric Add the following sentence: “Chain Link fabric for PVC coated shall conform to the requirements of AASHTO M181, Type IV-Class B.”

SPECIAL PROVISION SECTION 712
MISCELLANEOUS HIGHWAY MATERIALS

Add the following:

“712.07 Tops, and Traps These metal units shall conform to the plan dimensions and to the following specification requirements for the designated materials.

Gray iron castings shall conform to the requirements of AASHTO M105, Class 30, unless otherwise designated.

Carbon steel castings shall conform to the requirements of AASHTO M103/M103M. Grade shall be 450-240 [65-35] unless otherwise designated.

Structural steel shall conform to the requirements of AASHTO M183/M183M or ASTM A283/A283M, Grade B or better. Galvanizing, where specified for these units, shall conform to the requirements of AASHTO M111.

712.08 Corrugated Metal Units The units shall conform to plan dimensions and the metal to AASHTO M36/M36M. Bituminous coating, when specified, shall conform to AASHTO M190 Type A.

712.09 Catch Basin and Manhole Steps Steps for catch basins and for manholes shall conform to ASTM C478M [ASTM C478], Section 13 for either of the following material:

(a) Aluminum steps-ASTM B221M, [ASTM B211] Alloy 6061-T6 or 6005-T5.

(b) Reinforced plastic steps Steel reinforcing bar with injection molded plastic coating copolymer polypropylene. Polypropylene shall conform to ASTM D 4101.

712.23 Flashing Lights Flashing Lights shall be power operated or battery operated as specified.

(a) Power operated flashing lights shall consist of housing, adapters, lamps, sockets, reflectors, lens, hoods and other necessary equipment designed to give clearly visible signal indications within an angle of at least 45 degrees and from 3 to 90 m [10 to 300 ft] under all light and atmospheric conditions.

Two circuit flasher controllers with a two-circuit filter capable of providing alternate flashing operations at the rate of not less than 50 nor more than 60 flashes per minute shall be provided.

The lamps shall be 650 lumens, 120 volt traffic signal lamps with sockets constructed to properly focus and hold the lamp firmly in position.

The housing shall have a rotatable sun visor not less than 175 mm [7 in] in length designed to shield the lens.

Reflectors shall be of such design that light from a properly focused lamp will reflect the light rays parallel. Reflectors shall have a maximum diameter at the point of contact with the lens of approximately 200 mm [8 in].

The lens shall consist of a round one-piece convex amber material which, when mounted, shall have a visible diameter of approximately 200 mm [8 in]. They shall distribute light and not diffuse it. The distribution of the light shall be asymmetrical in a downward direction. The light distribution of the lens shall not be uniform, but shall consist of a small high intensity portion with narrow distribution for long distance throw and a larger low intensity portion with wide distribution for short distance throw. Lenses shall be marked to indicate the top and bottom of the lens.

(b) Battery operated flashing lights shall be self-illuminated by an electric lamp behind the lens. These lights shall also be externally illuminated by reflex-reflective elements built into the lens to enable it to be seen by reflex-reflection of the light from the headlights of oncoming traffic. The batteries must be entirely enclosed in a case. A locking device must secure the case. The light shall have a flash rate of not less than 50 nor more than 60 flashes per minute from minus 30 °C [minus 20 °F] to plus 65 °C [plus 150 °F]. The light shall have an on time of not less than 10 percent of the flash cycle. The light beam projected upon a surface perpendicular to the axis of the light beam shall produce a lighted rectangular projection whose minimum horizontal dimension shall be 5 degrees each side of the horizontal axis. The effective intensity shall not have an initial value greater than 15.0 candelas or drop below 4.0 candelas during the first 336 hours of continuous flashing. The illuminated lens shall appear to be uniformly bright over its entire illuminated surface when viewed from any point within an angle of 9 degrees each side of the vertical axis and 5 degrees each side of the horizontal axis. The lens shall not be less than 175 mm [7 in] in diameter including a reflex-reflector ring of 13 mm [½ in] minimum width around the periphery. The lens shall be yellow in color and have a minimum relative luminous transmittance of 0.440 with a luminance of 2854° Kelvin. The lens shall be one-piece construction. The lens material shall be plastic and meet the luminous transmission requirements of this specification. The case containing the batteries and circuitry shall be constructed of a material capable of withstanding abuse equal to or greater than 1.21 mm thick steel [No. 18 U.S. Standard Gage Steel]. The housing and the lens frame, if of metal shall be properly cleaned, degreased and pretreated to promote adhesion. It shall be given one or more coats of enamel which, when dry shall completely obscure the metal. The enamel coating shall be of such quality that when the coated case is struck a light blow with a sharp tool, the paint will not chip or crack and if scratched with a knife will not powder. The case shall be so constructed

and closed as to exclude moisture that would affect the proper operation of light. The case shall have a weep hole to allow the escape of moisture from condensation. Photoelectric controls, if provided, shall keep the light operating whenever the ambient light falls below 215 lx [20 foot candles]. Each light shall be plainly marked as to the manufacturer's name and model number.

If required by the Resident, certification as to conformance to these specifications shall be furnished based on results of tests made by an independent testing laboratory. All lights are subject to random inspection and testing. All necessary random samples shall be provided to the Resident upon request without cost to the Department. All such samples shall be returned to the Contractor upon completion of the tests.

712.32 Copper Tubing Copper tubing and fittings shall conform to the requirements of ASTM B88M Type A [ASTM B88, Type K] or better.

712.33 Non-metallic Pipe, Flexible Non-metallic pipe and pipe fittings shall be acceptable flexible pipe manufactured from virgin polyethylene polymer suitable for transmitting liquids intended for human or animal consumption.

712.34 Non-metallic Pipe, Rigid Non-metallic pipe shall be Schedule 40 polyvinylchloride (PVC) that meets the requirement of ASTM D1785. Fittings shall be of the same material.

712.341 Metallic Pipe Metallic pipe shall be ANSI, Standard B36.10, Schedule 40 steel pipe conforming to the requirements of ASTM A53 Types E or S, Grade B. End plates shall be steel conforming to ASTM A36/A36M.

Both the sleeve and end plates shall be hot dip galvanized. Pipe sleeve splices shall be welded splices with full penetration weld before galvanizing.

712.35 Epoxy Resin Epoxy resin for grouting or sealing shall consist of a mineral filled thixotropic, flexible epoxy resin having a pot life of approximately one hour at 10°C [50°F]. The grout shall be an approved product suitable for cementing steel dowels into the preformed holes of curb inlets and adjacent curbing. The sealant shall be an approved product, light gray in color and suitable for coating the surface.

712.36 Bituminous Curb The asphalt cement for bituminous curb shall be of the grade required for the wearing course, or shall be Viscosity Grade AC-20 meeting the current requirements of Subsection 702.01 Asphalt Cement. The aggregate shall conform to the requirements of Subsection 703.07. The coarse aggregate portion retained on the 2.36 mm [No. 8] sieve may be either crushed rock or crushed gravel.

The mineral constituents of the bituminous mixture shall be sized and graded and combined in a composite blend that will produce a stable durable curbing with an acceptable texture. Bituminous material for curb shall meet the requirements of Section 403 - Hot Bituminous Pavement.

712.37 Precast Concrete Slab Portland cement concrete for precast slabs shall meet the requirements of Section 502 - Structural Concrete, Class A.

The slabs shall be precast to the dimension shown on the plans and cross section and in accordance with the Standard Detail plans for Concrete Sidewalk Slab. The surface shall be finished with a float finish in accordance with Subsection 502.14(c). Lift devices of sufficient strength to hold the slab while suspended from cables shall be cast into the top or back of the slab.

712.38 Stone Slab Stone slabs shall be of granite from an acceptable source, hard, durable, predominantly gray in color, free from seams which impair the structural integrity and be of smooth splitting character. Natural color variations characteristic of the deposit will be permitted. Exposed surfaces shall be free from drill holes or indications of drill holes. The granite slabs in any one section of backslope must be all the same finish.

The granite slabs shall be scabble dressed or sawed to an approximately true plane having no projections or depressions over 13 mm [½ in] under a 600 mm [2 ft] straightedge or over 25 mm [1 in] under a 1200 mm [4 ft] straightedge. The arris at the intersection of the top surface and exposed front face shall be pitched so that the arris line is uniform throughout the length of the installed slabs. The sides shall be square to the exposed face unless the slabs are to be set on a radius or other special condition which requires that the joints be cut to fit, but in any case shall be so finished that when the stones are placed side by side no space more than 20 mm [¾ in] shall show in the joint for the full exposed height.

Liftpin holes in all sides will be allowed except on the exposed face.

SPECIAL PROVISION SECTION 717 ROADSIDE IMPROVEMENT MATERIAL

717.03 C. Method #3 - Roadside Mixture #3 Change the seed proportions to the following:

Crown Vetch	25%
Perennial Lupine	25%
Red Clover	12.5%
Annual Rye	37.5%

717.05 Mulch Binder Change the third sentence to read as follows:

“Paper fiber mulch may be used as a binder at the rate of 2.3 kg/unit [5 lb/unit].”

SPECIAL PROVISION SECTION 722 GEOTEXTILES

722.01 Stabilization/Reinforcement Geotextile Add the following to note #3; “The strengths specified in the columns labeled”<50%” and “= 50%” refer to the elongation at which the geotextile material was tested. For example; if a fabric is tested at 15% elongation then it must meet or exceed the

minimum strength shown in the “<50%” column. Submittals must include the percent elongation at which the material was tested.”

722.02 Drainage Geotextile Add the following to note #3; “The strengths specified in the columns labeled”<50%” and “= 50%” refer to the elongation at which the geotextile material was tested. For example; if a fabric is tested at 15% elongation then it must meet or exceed the minimum strength shown in the “<50%” column. Submittals must include the percent elongation at which the material was tested.”

722.01 Erosion Control Geotextile Add the following note to Elongation in the Mechanical Property Table; “The strengths specified in the columns labeled”<50%” and “= 50%” refer to the elongation at which the geotextile material was tested. For example; if a fabric is tested at 15% elongation then it must meet or exceed the minimum strength shown in the “<50%” column. Submittals must include the percent elongation at which the material was tested.”

Town: **Brewer, Rt. 9**
Projects: **NH-1139(800)E, PIN 11398.00**
Date: **February 17, 2005**

SPECIAL PROVISIONS
SECTION 104
Utilities

MEETING

A Pre-construction Utility Conference, as defined in Subsection 104.4.6 of the Standard Specifications is required.

GENERAL INFORMATION

These Special Provisions outline the arrangements that have been made by the Department for utility and/or railroad work to be undertaken in conjunction with this project. The following list identifies all known utilities or railroads having facilities presently located within the limits of this project or intending to install facilities during project construction.

Overview:

Utility/Railroad	Aerial	Underground
Bangor Hydro-Electric Company	X	
Adelphia Communications Corp.	X	
Verizon	X	X
Mid-Maine Telecom		X
Bangor Gas Company		X
City of Brewer (Sewer & Water)	X	X

Temporary utility adjustments are **not** anticipated. If temporary relocation becomes necessary, sufficient time will need to be allowed prior to the construction for all required temporary relocation.

All utility crossings over highways will provide not less than 18 feet vertical clearance over existing ground in cut or over finished grade in fill, during construction of this project.

Any times and dates mentioned are estimates only and are dependent upon favorable weather, working conditions, and freedom from emergencies. The Contractor shall have no claim against the Department if they are exceeded.

Utility working days are Monday through Friday, conditions permitting. Times are estimated on the basis of a single crew for each utility.

AERIAL

No Aerial Utility adjustments are anticipated as part of this project. All above ground utility locations (hydrants, poles, guys, etc.) will be reviewed for compliance with the Department's Above Ground Pole Policy following the completion of the paving operation. Any above ground utility locations not meeting the Department's Above Ground Pole Policy will require relocation to the proper offset.

Town: **Brewer, Rt. 9**
Projects: **NH-1139(800)E, PIN 11398.00**
Date: **February 17, 2005**

SUBSURFACE

Utility	Summary of Work	Estimated Working Days
City of Brewer	Adjust 56 manholes to adjust to finish grade (New frames and covers to be provided by City)	By others
	23 Water Gate Valve boxes to Replace and adjust to finish grade (New Water Valve tops to be provided by City)	By others
	20 Water Gate Valve boxes just to adjust to finish grade	By others
Verizon	Adjust 2 manholes to finish grade	2 to lower & 4 to raise

City of Brewer has entered into an Agreement with the Maine Department of Transportation. The Contractor will adjust the City's manholes and water gates as needed within this contract and within specifications for Items 812.162, 812.164, 823.011 and 823.332. City of Brewer shall be notified as to when work this will take place so they may send an on-site representative for inspection purposes. The City of Brewer's two underground utilities are **Brewer Sewer Department** is Frank Higgins at 989-7800 and for **Brewer Water Department** is Scott Stanhope at 989-4214.

Brewer Water Department will be providing new water gate valve boxes to replace the existing boxes that will need to be dropped to accommodate the grinding process. These structures will be available to the contractor upon request and existing structures will be the property of the respective utility. The water gate valve boxes outside the grinding area will just need to be lifted during the paving operation.

Brewer Sewer Department will also be providing new manholes tops as the structures are adjusted. These structures will be available to the contractor upon request and existing structures will be the property of the utility.

Above and beyond the adjustment work **Brewer Water Department** will be installing one new hydrant, repairing two services and replacing one hydrant within the project limits during construction. Brewer Water Department will require two weeks to complete this work and will coordinate with the contractor to complete this work.

Verizon will require three weeks notice prior to the grinding process. When Verizon begins their work they will need 2 working days to lower their structures to accommodate the grinding process. Verizon will require 4 working days to raise their respective structures to grade if necessary before final paving. Additional days may be required for repairs to any structures that are found to be broken or not operating properly. The contact for Verizon is Dave Leavitt at 990-5239.

Bangor Gas Company has gas main located in the sidewalk on the project. No adjustments are anticipated. Contractor shall contact Bangor Gas Company at least three (3) days prior to any

Town: **Brewer, Rt. 9**
Projects: **NH-1139(800)E, PIN 11398.00**
Date: **February 17, 2005**

excavating operations within the sidewalk areas to allow the utility to determine their facilities locations in that area. The contact for Bangor Gas Company is Jerry McKenney at 941-9595.

Mid-Maine Communications have facilities within Verizon's conduit bank. No Adjustments are anticipated as part of this project. The contact for Mid-Maine Communications is Ron Bragg at 992-9932.

UTILITY SIGNING

Any utility working within the construction limits of this project shall ensure that the traveling public is adequately protected at all times. All work areas shall be signed, lighted, and traffic flaggers employed as determined by field conditions. All traffic controls shall be in accordance with the latest edition of the Manual on Uniform Traffic Control Devices for Streets and Highways, as issued by the Federal Highway Administration.

SAFE PRACTICES AROUND UTILITY FACILITIES

The Contractor shall be responsible for complying with M.R.S.A. Title 35-A, Chapter 7-A Sections 751 - 761 Overhead High-Voltage Line Safety Act. Prior to commencing any work that may come within ten (10) feet of any aerial electrical line; the Contractor shall notify the aerial utilities as per Section 757 of the above act.

DIG SAFE

The Contractor shall be responsible for determining the presence of underground utility facilities prior to commencing any excavation work and shall notify utilities of proposed excavation in accordance with M.R.S.A. Title 23 §3360-A, Maine "Dig Safe" System.

MAINTAINING UTILITY LOCATION MARKINGS

The Contractor will be responsible for maintaining the buried utility location markings following the initial locating by the appropriate utility or their designated representative.

THE CONTRACTOR SHALL PLAN AND CONDUCT HIS WORK ACCORDINGLY.

The following utilities are known to be located on this project:

Bangor Hydro-Electric Company	Bruce Smith	973-2507
Verizon	David Leavitt	990-5239
Adelphia Communications Corp.	Steve Bossie	1-877-500-1055 (ext.2421)
	Peter Hamlin (Location)	(ext. 2412)
Bangor Gas Company	Jerry McKenney	941-9595
Mid -Maine Telecom	Ron Bragg	992-9932
	John Jones (Location)	992-9930
City of Brewer	David Cote	989-7800
Brewer Sewer Department	Frank Higgins	989-7800
Brewer Water Department	Scott Stanhope	989-4214

SPECIAL PROVISIONS
SECTION 104
Utilities

MEETING

A Pre-construction Utility Conference, as defined in Subsection 104.4.6 of the Standard Specifications **is** required.

GENERAL INFORMATION

These Special Provisions outline the arrangements that have been made by the Department for utility and/or railroad work to be undertaken in conjunction with this project. The following list identifies all known utilities or railroads having facilities presently located within the limits of this project or intending to install facilities during project construction

Overview:

Utility/Railroad	Aerial	Underground
Bangor Hydro-Electric Company	X	
Adelphia Communications Corp.	X	
Verizon	X	X
Bangor Public Works		X
Bangor Sanitary Department		X
Bangor Water District		X

Temporary utility adjustments are **not** anticipated. If temporary relocation becomes necessary, sufficient time will need to be allowed prior to the construction for all required temporary relocation.

All utility crossings over highways will provide not less than 18 feet vertical clearance over existing ground in cut or over finished grade in fill, during construction of this project.

Any times and dates mentioned are estimates only and are dependent upon favorable weather, working conditions, and freedom from emergencies. The Contractor shall have no claim against the Department if they are exceeded.

Utility working days are Monday through Friday, conditions permitting. Times are estimated on the basis of a single crew for each utility.

AERIAL

No Aerial Utility adjustments are anticipated as part of this project. All above ground utility locations (hydrants, poles, guys, etc.) will be reviewed for compliance with the Department's Above Ground Pole Policy following the completion of the paving operation. Any above ground utility locations not meeting the Department's Above Ground Pole Policy will require relocation to the proper offset.

SUBSURFACE

Utility	Summary of Work	Estimated Working Days
Bangor Public Works	10 Storm water manholes to adjust finish grade	2
Bangor Sanitary Department	11 sewer manholes to adjust finish grade	5
Bangor Water District	25 water gate boxes to adjust finish grade	During Paving Operation
Verizon	Adjust telephone manholes to finish grade	6
Total Con-current Working Days:		6

Utility Specific Issues:

Bangor Public Works has approximately 10 storm drain manholes that will need to be worked around during the grinding and or shimming process. The Contractor shall notify the Utility two weeks prior to final paving. The utilities will then require 2 working days to raise their respective structures to grade before final paving. Additional days may be required for repairs to any structures that are found to be broken or not operating properly. The contact for **Bangor Public Works** is Dana Wardwell at 992-4501.

Bangor Sanitary Department has approximately 11 manholes that will need to be worked around during the grinding and or shimming process. The Contractor shall notify the Utility two weeks prior to final paving. The utilities will then require 5 working days to raise their respective structures to grade before final paving. Additional days may be required for repairs to any structures that are found to be broken or not operating properly. The contact for **Bangor Sanitary Department** is Michael Perry at 992-4513.

Bangor Water District has approximately 25 water gate boxes that will need to be worked around during the grinding and or shimming process. The **Bangor Water District** will loosen their respective structures prior to the paving process. Additional days may be required for repairs to any structures that are found to be broken or not operating properly. The **Bangor Water District** will then raise their respective structures during the paving operation. The contact for **Bangor Water District** is Don Cammack 947-4516 ext. 246.

The **Verizon** has 6 manholes that will need to be worked around during the grinding and or shimming process. The **Verizon** will require 6 working days to raise their respective structures to grade if necessary before final paving but after the shim process. Additional days may be required for repairs to any structures that are found to be broken or not operating properly. The contact for the **Verizon** is David Leavitt at 990-5239.

UTILITY SIGNING

Town: **Bangor, Union St., Rt. 222**
Projects: **STP-1157(500)X, PIN 11575.00**
Date: **February 3, 2005**

Any utility working within the construction limits of this project shall ensure that the traveling public is adequately protected at all times. All work areas shall be signed, lighted, and traffic flaggers employed as determined by field conditions. All traffic controls shall be in accordance with the latest edition of the Manual on Uniform Traffic Control Devices for Streets and Highways, as issued by the Federal Highway Administration.

DIG SAFE

The Contractor shall be responsible for determining the presence of underground utility facilities prior to commencing any excavation work and shall notify utilities of proposed excavation in accordance with M.R.S.A. Title 23 §3360-A, Maine "Dig Safe" System.

MAINTAINING UTILITY LOCATION MARKINGS

The Contractor will be responsible for maintaining the buried utility location markings following the initial locating by the appropriate utility or their designated representative.

THE CONTRACTOR SHALL PLAN AND CONDUCT HIS WORK ACCORDINGLY.

The following utilities are known to be located on this project:

Bangor Hydro-Electric Company	Bruce Smith	973-2507
Verizon	David Leavitt	990-5239
Adelphia Communications Corp.	Steve Bossie	1-877-500-1055
City of Bangor Public Works	Dana Wardwell	992-4501
Bangor Sanitary Department	Michael Perry	992-4513
Bangor Water District	Don Cammack	947-4516 ext. 246

Town: **Brewer, Eastern Ave.**
Projects: **STP-1157(600)X, PIN 11576.00**
Date: **February 3, 2005**

SPECIAL PROVISIONS
SECTION 104
Utilities

MEETING

A Pre-construction Utility Conference, as defined in Subsection 104.4.6 of the Standard Specifications **is** required.

GENERAL INFORMATION

These Special Provisions outline the arrangements that have been made by the Department for utility and/or railroad work to be undertaken in conjunction with this project. The following list identifies all known utilities or railroads having facilities presently located within the limits of this project or intending to install facilities during project construction.

Overview:

Utility/Railroad	Aerial	Underground
Bangor Hydro-Electric Company	X	
Adelphia Communications Corp.	X	
Verizon	X	X
City of Brewer (Sewer & Water)	X	X
Bangor Gas Company		X

Temporary utility adjustments are **not** anticipated. If temporary relocation becomes necessary, sufficient time will need to be allowed prior to the construction for all required temporary relocation.

All utility crossings over highways will provide not less than 18 feet vertical clearance over existing ground in cut or over finished grade in fill, during construction of this project.

Any times and dates mentioned are estimates only and are dependent upon favorable weather, working conditions, and freedom from emergencies. The Contractor shall have no claim against the Department if they are exceeded.

Utility working days are Monday through Friday, conditions permitting. Times are estimated on the basis of a single crew for each utility.

AERIAL

No Aerial Utility adjustments are anticipated as part of this project. All above ground utility locations (hydrants, poles, guys, etc.) will be reviewed for compliance with the Department's Above Ground Pole Policy following the completion of the paving operation. Any above ground utility locations not meeting the Department's Above Ground Pole Policy will require relocation to the proper offset.

Town: **Brewer, Eastern Ave.**
Projects: **STP-1157(600)X, PIN 11576.00**
Date: **February 3, 2005**

SUBSURFACE

Utility	Summary of Work	Estimated Working Days
City of Brewer	Replace 4 and install 1 new manhole as part of sewer project contained herein (adjusting incidental)	By others
	Adjust 12 manholes to finish grade. (New frames and covers to be provided by City)	By others
	13 Water Gate Valve boxes to replace and adjust to finish grade. (New Water Valve tops to be provided by City)	By others
Verizon	Adjust 1 manholes to finish grade	1 Working Days

City of Brewer has entered into two agreements with the Maine Department of Transportation. One agreement states the contractor will adjust the City's manholes and water gates as needed within this contract and within specifications for Items 812.162, 812.164 and 823.332. City of Brewer shall be notified as to when work this will take place so they may send an on-site representative for inspection purposes. The **City of Brewer** 's two underground utilities are **Brewer Sewer Department** is Frank Higgins at 989-7800 and for **Brewer Water Department** is Scott Stanhope at 989-4214.

Brewer Water Department will be providing new water gate valve boxes to replace the existing boxes that will need to be dropped to accommodate the grinding process. These structures will be available to the contractor upon request and existing structures will be the property of the respective utility.

Brewer Sewer Department will also be providing new manholes tops as the structures are adjusted. These structures will be available to the contractor upon request and existing structures will be the property of the utility.

The **Brewer Water Department** will be relocating one new hydrant, repairing services within the project limits during construction. Brewer Water Department will require 3 days do complete this work. Brewer Water Department and will coordinate the timing with the contractor to complete this work.

The second agreement between Maine Department of Transportation and the City of Brewer is for the installation of new sewer main within this contract. The limits of the sewer main work are from State Street to Parkway North. This work will be under direction of the Department with an Inspector from the Sewer Department and will be scheduled as part of the project. Contractor shall reference Section for specification and plans specific to the sewer main work. The adjusting to finish grade of the new manholes will be incidental to manhole item.

The **Verizon** has 1 manhole that will need to be worked around during the grinding and or shimming process. The **Verizon** will require 1 working day to raise their respective structures to grade if necessary before final paving but after the shim process. Additional days may be

Town: **Brewer, Eastern Ave.**
Projects: **STP-1157(600)X, PIN 11576.00**
Date: **February 3, 2005**

required for repairs to any structures that are found to be broken or not operating properly. The contact for the **Verizon** is David Leavitt at 990-5239.

Bangor Gas Company has gas main located in the sidewalk on the project. No adjustments are anticipated. Contractor shall **Bangor Gas Company** at least three (3) days prior to any excavating operations within the sidewalk areas to allow the utility to determine their facilities locations in that area. The contact for Bangor Gas Company is Jerry McKenney at 941-9595.

UTILITY SIGNING

Any utility working within the construction limits of this project shall ensure that the traveling public is adequately protected at all times. All work areas shall be signed, lighted, and traffic flaggers employed as determined by field conditions. All traffic controls shall be in accordance with the latest edition of the Manual on Uniform Traffic Control Devices for Streets and Highways, as issued by the Federal Highway Administration.

SAFE PRACTICES AROUND UTILITY FACILITIES

The Contractor shall be responsible for complying with M.R.S.A. Title 35-A, Chapter 7-A Sections 751 - 761 Overhead High-Voltage Line Safety Act. Prior to commencing any work that may come within ten (10) feet of any aerial electrical line; the Contractor shall notify the aerial utilities as per Section 757 of the above act.

DIG SAFE

The Contractor shall be responsible for determining the presence of underground utility facilities prior to commencing any excavation work and shall notify utilities of proposed excavation in accordance with M.R.S.A. Title 23 §3360-A, Maine "Dig Safe" System.

MAINTAINING UTILITY LOCATION MARKINGS

The Contractor will be responsible for maintaining the buried utility location markings following the initial locating by the appropriate utility or their designated representative.

THE CONTRACTOR SHALL PLAN AND CONDUCT HIS WORK ACCORDINGLY.

The following utilities are known to be located on this project:

Bangor Hydro-Electric Company	Bruce Smith	973-2507
Verizon	David Leavitt	990-5239
Adelphia Communications Corp.	Steve Bossie	1-877-500-1055 (ext.2421)
	Peter Hamlin (Location)	(ext. 2412)
Bangor Gas Company	Jerry McKenney	941-9595
City of Brewer	David Cote	989-7800
Brewer Sewer Department	Frank Higgins	989-7800
Brewer Water Department	Scott Stanhope	989-4214

SPECIAL PROVISION 105
OVERLIMIT PERMITS

Title 29-A § 2382 MRSA Overlimit Movement Permits.

1. Overlimit movement permits issued by State. The Secretary of State, acting under guidelines and advice of the Commissioner of Transportation, may grant permits to move nondivisible objects having a length, width, height or weight greater than specified in this Title over a way or bridge maintained by the Department of Transportation

2. Permit fee. The Secretary of State, with the advice of the Commissioner of Transportation, may set the fee for single trip permits, at not less than \$6, nor more than \$30, based on weight, height, length and width. The Secretary of State may, by rule, implement fees that have been set by the Commissioner of Transportation for multiple trip, long-term overweight movement permits. Rules established pursuant to this section are routine technical rules pursuant to Title 5, chapter 375, subchapter II-A.

3. County and municipal permits. A county commissioner or municipal officer may grant a permit, for a reasonable fee, for travel over a way or bridge maintained by that county or municipality

4. Permits for weight. A vehicle granted a permit for excess weight must first be registered for the maximum gross vehicle weight allowed for that vehicle.

5. Special mobile equipment. The Secretary of State may grant a permit, for no more than one year, to move pneumatic-tire equipment under its own power, including Class A and Class B special mobile equipment, over ways and bridges maintained by the Department of Transportation. The fee for that permit is \$15 for each 30-day period.

6. Scope of permit. A permit is limited to the particular vehicle or object to be moved, the trailer or semitrailer hauling the overlimit object and particular ways and bridges.

7. Construction permits. A permit for a stated period of time may be issued for loads and equipment employed on public way construction projects, United States Government projects or construction of private ways, when within construction areas established by the Department of Transportation. The permit:

A. Must be procured from the municipal officers for a construction area within that municipality;

B. May require the contractor to be responsible for damage to ways used in the construction areas and may provide for:

(1) Withholding by the agency contracting the work of final payment under contract; or

(2) The furnishing of a bond by the contractor to guarantee suitable repair or payment of damages.

The suitability of repairs or the amount of damage is to be determined by the Department of Transportation on state-maintained ways and bridges, otherwise by the municipal officers;

C. May be granted by the Department of Transportation or by the state engineer in charge of the construction contract; and

D. For construction areas, carries no fee and does not come within the scope of this section.

8. Gross vehicle weight permits. The following may grant permits to operate a vehicle having a gross vehicle weight exceeding the prescribed limit:

A. The Secretary of State, with the consent of the Department of Transportation, for state and state aid highways and bridges within city or compact village limits;

B. Municipal officers, for all other ways and bridges within that city and compact village limits; and

C. The county commissioners, for county roads and bridges located in unorganized territory.

9. Pilot vehicles. The following restrictions apply to pilot vehicles.

A. Pilot vehicles required by a permit must be equipped with warning lights and signs as required by the Secretary of State with the advice of the Department of Transportation.

B. Warning lights may be operated and lettering on the signs may be visible on a pilot vehicle only while it is escorting a vehicle with a permit on a public way.

With the advice of the Commissioner of Transportation and the Chief of the State Police, the Secretary of State shall establish rules for the operation of pilot vehicles.

9-A. Police escort. A person may not operate a single vehicle or a combination of vehicles of 125 feet or more in length or 16 feet or more in width on a public way unless the vehicle or combination of vehicles is accompanied by a police escort. The Secretary of State, with the advice of the Commissioner of Transportation, may require a police escort for vehicles of lesser dimensions.

A. The Bureau of State Police shall establish a fee for state police escorts to defray the costs of providing a police escort. A county sheriff or municipal police department may establish a fee to defray the costs of providing police escorts.

B. The Bureau of State Police shall provide a police escort if a request is made by a permittee. A county sheriff or municipal police department may refuse a permittee's request for a police escort.

C. A vehicle or combination of vehicles for which a police escort is required must be accompanied by a state police escort when operating on the interstate highway system.

10. Taxes paid. A permit for a mobile home may not be granted unless the applicant provides reasonable assurance that all property taxes, sewage disposal charges and drain and sewer assessments applicable to the mobile home, including those for the current tax year, have been paid or that the mobile home is exempt from those taxes. A municipality may waive the requirement that those taxes be paid before the issuance of a permit if the mobile home is to be moved from one location in the municipality to another location in the same municipality for purposes not related to the sale of the mobile home.

11. Violation. A person who moves an object over the public way in violation of this section commits a traffic infraction.

Section History:

PL 1993, Ch. 683, §A2 (NEW).

PL 1993, Ch. 683, §B5 (AFF).

PL 1997, Ch. 144, §1,2 (AMD).

PL 1999, Ch. 117, §2 (AMD).

PL 1999, Ch. 125, §1 (AMD).

PL 1999, Ch. 580, §13 (AMD).

PL 2001, Ch. 671, §30 (AMD).

PL 2003, Ch. 166, §13 (AMD).

PL 2003, Ch. 452, §Q73,74 (AMD).

PL 2003, Ch. 452, §X2 (AFF).

Town: Brewer
PIN #: 11398.00
Date:4/14/04

SPECIAL PROVISION
SECTION 105
General Scope of Work
(Environmental Requirements)

Essential Habitat Work shall not be allowed between the dates of November 1 and August 14.
(Essential Habitat work is allowed from August 15 to October 31.)

Special Conditions: Essential Habitat work shall be conducted only during the window given above.

During the Essential Habitat work window restriction, all activities are prohibited within the designated area, see attached map.

No construction activity, whether temporary or permanent, is allowed within the designated area until August 15 between stations 117+00 to 197+00.

The contractor shall abide by all permits and conditions.

SPECIAL PROVISION
SECTION 107
SCHEDULING OF WORK

Replace Section 107.4.2 with the following:

"107.4.2 Schedule of Work Required Within 21 Days of Contract Execution and before beginning any on-site activities, the Contractor shall provide the Department with its Schedule of Work. The Contractor shall plan the Work, including the activity of Subcontractors, vendors, and suppliers, such that all Work will be performed in Substantial Conformity with its Schedule of Work. The Schedule must include sufficient time for the Department to perform its functions as indicated in this Contract, including QA inspection and testing, approval of the Contractor's TCP, SEWPCP and QCP, and review of Working Drawings.

At a minimum, the Schedule of Work shall include a bar chart which shows the major Work activities, milestones, durations, and a timeline. Milestones to be included in the schedule include: (A) start of Work, (B) beginning and ending of planned Work suspensions, (C) Completion of Physical Work, and (D) Completion. If the Contractor Plans to Complete the Work before the specified Completion date, the Schedule shall so indicate.

Any restrictions that affect the Schedule of Work such as paving restrictions or In-Stream Work windows must be charted with the related activities to demonstrate that the Schedule of Work complies with the Contract.

The Department will review the Schedule of Work and provide comments to the Contractor within 20 days of receipt of the schedule. The Contractor will make the requested changes to the schedule and issue the finalized version to the Department."

SPECIAL PROVISION
SECTION 107
TIME
(Contract Time)

1. The Contractor will be allowed to commence work any time after the Soil Erosion, Water Pollution Plan, Traffic Plan and Office trailer are approved.
2. Completion date is **October 22, 2005**.
3. For every weekday not worked after operations begin, the Contractor will be charged liquidated damages per calendar day (excluding inclement weather days) as the rate stated in 107.7.2
4. The Contractor will cease all operations on May 27th, 2005 by 12:00 pm and will not be allowed to commence work until May 31st, 2005 at 6:00 am.
5. The Contractor will cease all operations on July 1st, 2005 by 12:00 pm and will not be allowed to commence work until July 6th, 2005 at 6:00 am.
6. The Contractor will cease all operations on September 2nd, 2005 by 12:00 pm and will not be allowed to commence work until September 6th, 2005 at 6:00 am.
7. The contractor will conduct and plan his work so that all recycled and milled surfaces will be paved as soon as possible.

SPECIAL PROVISION
SECTION 309
FULL DEPTH RECYCLED PAVEMENT
(With Foamed Asphalt)

309.01 Description This work shall consist of pulverizing a portion of the existing roadway structure into a homogenous mass, treating the pulverized material with the foamed asphalt process, and the placing and compacting of this material to the lines, grades, and dimensions shown on the plans or established by the Resident.

MATERIALS

309.020 Pulverized Material Pulverized material shall consist of the entire existing bituminous pavement and, if specified, a designated portion of the underlying gravel, pulverized and blended into a homogenous mass. Pulverized material will be processed to 100 percent passing a 50 mm [2 in] square mesh sieve.

309.021 New Aggregate and Additional Recycled Material New aggregate, if required by the contract or job mix, shall meet the requirements of Section 411.02 Untreated Aggregate Surface Course. New aggregate required as part of the job mix shall be considered part of the 309 item and will not be measured for payment. New aggregate required grade and/or cross-slope restoration shall be measured for payment.

Recycled material, if required, shall consist of material from the project or from off-site stockpiles that have been processed, prior to use to 100 percent passing a 50 mm [2 in] square mesh sieve. The Resident shall conditionally accept recycled material at the source; it shall be free of winter sand, granular fill, construction debris, and other materials not generally considered to be bituminous pavement.

309.022 Asphalt Binder The asphalt binder used in the foamed asphalt process shall be Performance Grade 64-28 meeting the requirements of AASHTO M320.

309.023 Portland Cement The Portland Cement shall be Type I or II meeting the requirements of AASHTO M85.

309.024 Lime Lime for soil stabilization shall meet the requirements of AASHTO M216.

309.025 Crusher Dust Crusher dust, if required by the job mix, shall be free from friable or deleterious material, including excessive mica, and shall meet the following gradation requirements:

Sieve Size	Percent Passing
12.5 mm [$\frac{1}{2}$ in]	100
0.075 mm [No. 200]	10 - 15

309.026 Water Water shall be clean and free from deleterious concentrations of acids, alkalis, salts or other organic or chemical substances.

EQUIPMENT

309.030 Pulverizer The modified milling or recycling machine shall, as a minimum, have the following features:

- A. A minimum power capability of 600 horsepower.
- B. Two microprocessor-controlled systems, complete with 2 independent pumping systems and spraybars, to regulate the application of foamed bitumen stabilizing agent, separate from water (for increasing the moisture content of the recycled material), in relation to the forward speed and mass of the material being recycled.
- C. Two spray bars shall each be fitted with self-cleaning nozzles at a maximum spacing of one nozzle for each 155 mm [6 in] width of the chamber.
- D. The foamed bitumen shall be produced at the spraybar in individual expansion chambers into which both hot bitumen and water are injected under pressure through individual and separate small orifices that promote atomization. The rate of addition of water into hot bitumen shall be kept at a constant (percentage by mass of bitumen) by the same microprocessor.
- E. An inspection (or test) nozzle shall be fitted at one end of the spraybar that produces a representative sample of foamed bitumen.
- F. An electrical heating system capable of maintaining the temperature of all bitumen flow components above 150°C [300°F].
- G. A single bitumen feed pipe installed between the modified milling or recycling machine and the supply tanker. Circulating systems that incorporate a return pipe to the supply tanker shall not be used.
- H. The recycler shall be fitted with a front breaker bar system to ensure that the reclaimed material is broken down to the sizing outlined in 309.020.

309.031 Liquid Mixer Unit or Distributor Only tankers with a capacity exceeding 10,000 L [2500 gal] shall be used to supply the recycling machine with bitumen. Each tanker shall be fitted with two recessed pin-type tow hitches, one in front and the other behind, thereby allowing the tanker to be pushed from behind by the recycling machine, and to push a water tanker in front. No leaking tanker will be permitted on the job site. In addition, each tanker shall be equipped with the following:

- A. A thermometer to show the temperature of the contents in the bottom third of the tank.
- B. A rear feed valve, with a minimum internal diameter of 75 mm [3 in], capable of draining the contents of the tank when fully opened.
- C. Insulation to retain heat.
- D. A calibrated dipstick marked at intervals of no more than 100 L [25 gal], for measuring the contents of the tank.

309.032 Placement Equipment Placement of the full depth recycled material to the required slope and grade shall be done with an approved highway grader or by another method approved by the Resident.

309.033 Rollers The full depth recycled material shall be rolled with a vibratory pad/tamping foot roller, a vibratory steel drum soil compactor and a Type II pneumatic tire roller. The pad/tamping foot roller drum shall have a minimum of 112 tamping feet 73 mm [3 in] in height, a minimum contact area per foot of 110 cm² [17 in²], and a minimum width of 2.15 m [84 in]. The vibratory steel drum roller shall have a minimum 2.15 meter [84 in] width single drum. The pneumatic tire roller shall meet the requirements of Section 401.10 and the minimum allowable tire pressure shall be 586 kPa [85 psi].

MIX DESIGN

The Department will supply a mix design for the foamed asphalt based on test results from pavement and soil analysis taken to the design depth. The Department will provide the following information prior to construction:

1. Percent of bitumen to be used based on weight.
2. Percent of water to be used in the foaming process based on weight.
3. Quantity (if any) of crusher dust to be used based on weight.
4. Quantity of lime or cement to be added based on weight.
5. Optimum moisture content for proper compaction and dispersion of foamed asphalt.
6. Additional aggregate (if required).

After a test strip has been completed or as the work progresses, it may be necessary for the Resident to make necessary adjustments to the mix design. Changes to compensation will be in accordance with the Mix Design Special Provision.

CONSTRUCTION REQUIREMENTS

309.04 Weather Limitations When foamed asphalt is used, full depth recycled work shall be performed when;

- A. Foaming operations will be allowed between May 15th and September 15th inclusive in Zone 1 - Areas north of US Route 2 from Gilead to Bangor and north of Route 9 from Bangor to Calais. Foaming operations will be allowed between May 1st and September 30th inclusive in Zone 2 - Areas south of Zone 1 including the US Route 2 and Route 9 boundaries.
- B. The atmospheric temperature, as determined by an approved thermometer placed in the shade at the recycling location, is 10°C [50°F] and rising.
- C. When there is no standing water on the surface.
- D. During generally dry conditions, or when weather conditions are such that proper pulverizing, adding, mixing, and curing can be obtained using proper procedures, and when compaction can be accomplished as determined by the Resident.
- E. When the surface is not frozen and when overnight temperatures are expected to be above 0°C [32°F].
- F. Wind conditions as such that the spreading of lime or cement on the roadway ahead of the recycling machine will not adversely affect the operation.

309.05 Full Depth Recycling Procedure If required by the mix design, a uniform layer of crusher dust shall be spread over the full width of the roadway just prior to the foaming procedure. New aggregate or recycled pavement meeting the requirements of Section 309.021 - New Aggregate, and Recycled Material shall be added as necessary to restore cross-slope and/or grade. Locations will be shown on the plans or described in the construction notes; the Resident may add other locations while construction of the project is in progress. The Contractor will use recycled pavement to the extent it is available, in lieu of new aggregate. The material shall be added prior to the initial pulverization then be pulverized, processed, and blended into a homogeneous mass passing a 50 mm [2 in] square mesh sieve with the existing pavement. Material found not pulverized down to a 50mm [2 in] size will be required to be reprocessed by the recycler with successive passes until approved by the Resident. The material shall then be shaped to the cross-slope and grade shown on the plans, typicals, or as directed by the Resident. This pulverized material shall be fine-graded to ± 13 mm [$\pm \frac{1}{2}$ in] tolerance. The initial reclaiming process density requirements will be the same as Section 309.07 unless otherwise directed by the Resident.

The dry stabilizing agents (lime or cement) shall be spread uniformly over the full width of roadway to be recycled just prior to each pass of the foaming operation, in a continuous process by means of a mechanical spreader. Dry stabilizing agents shall be spread at the prescribed rate of application provided by the Department. Foamed asphalt shall be incorporated into the material to a depth determined by the pavement design. These additives shall then be uniformly blended into a homogeneous mass until an apparent uniform distribution has occurred. The Resident may adjust the rate of application as necessary.

Asphalt binder shall be added to the milling or recycling process by pumping from a mobile bulk tanker that is pushed from behind by the recycling machine. Tankers shall be equipped with a built-in thermometer to ensure that the bituminous stabilizing agent is maintained at $190^{\circ}\text{C} \pm 5^{\circ}\text{C}$ [$375^{\circ}\text{F} \pm 10^{\circ}\text{F}$]. The system employed to add the foamed asphalt to the recycling process shall conform to the equipment requirements specified in these Special Provisions.

Sufficient water shall be added during the recycling process to meet the moisture requirements as specified. Water shall be added only by means of the microprocessor control system on the recycling machine and care shall be taken to prevent excessive wetting. **A second water truck will be required to supply water to aide in the compaction of the foamed material and for dust control.**

The resultant material shall be graded and compacted to the cross-slope and profile shown on the plans or as directed by the Resident. The Contractor will also be responsible for re-establishing the existing profile grade. The completed surface of the full depth recycled course shall be shaped and maintained to a tolerance, above or below the required cross sectional shape, of 10 mm [$\frac{3}{8}$ in]. Areas not meeting this tolerance will be repaired as described in Section 309.051.

After compaction, the roadway surface shall be treated with a light application of water, and rolled with pneumatic-tired rollers to create a close-knit texture. The finished layer shall be free from:

- A. Surface laminations.
- B. Segregation of fine and coarse aggregate.
- C. Corrugations, centerline differential, potholes, or any other defects that may adversely affect the performance of the layer.

The Contractor shall protect and maintain the recycled layer until a lift of pavement is applied. Frequent light watering shall be performed to prevent the surface from drying out. Any damage or defects in the layer shall be repaired immediately. An even and uniform surface shall be maintained. The recycled material shall be swept prior to hot mix asphalt placement.

309.051 Repairs Repairs and maintenance of the recycled layers, during and after the curing period, resulting from damage caused by traffic, weather or environmental conditions, or resulting from damage caused by the Contractor's operations or equipment, shall be completed at no additional cost to the Department.

Low areas will be repaired using a hot mix asphalt shim. Areas up to 25mm [1 in] high can be repaired by milling or shimming with hot mix asphalt. Areas greater than 25mm [1 in] high will be repaired using a hot mix asphalt shim. All repair work will be done with the Resident's approval at the Contractor's expense.

TESTING REQUIREMENTS

309.06 Quality Control The Contractor shall operate in accordance with the approved Quality Control Plan (QCP) to assure a product meeting the contract requirements. The QCP shall meet the requirements of Section 106.4 - Quality Control and this Section. The Contractor shall not begin recycling operations until the Department approves the QCP in writing.

Prior to performing any recycling process, the Department and the Contractor shall hold a Pre-recycle conference to discuss the recycling schedule, type and amount of equipment to be used, sequence of operations, and traffic control. A copy of the QC random numbers to be used on the project shall be provided to the Resident. All field and plant supervisors including the responsible onsite recycling process supervisor shall attend this meeting.

The QCP shall address any items that affect the quality of the Recycling Process including, but not limited to, the following:

- A. JMF(s) including sources for all materials.
- B. Make and type of rollers including weight, weight per inch of steel wheels, and average contact pressure for pneumatic tired rollers.
- C. Testing Plan.
- D. Recycling operations including recycling speed, yield monitoring, procedures for avoiding recycling and curing in inclement weather, methods to ensure that segregation is minimized, procedures for mix design modification, grading and compacting operations, and cement and lime application procedure.
- E. Methods for protecting the finished product from damage and procedures for any necessary corrective action.
- F. Method of grade checks.
- G. Examples of Quality Control forms.
- H. Name, responsibilities, and qualifications of the Responsible onsite Recycling Supervisor experienced and knowledgeable with the process.
- I. A note that all testing will be done in accordance with AASHTO and MDOT/ACM procedures.

The Project Superintendent shall be named in the QCP, and the responsibilities for successful implementation of the QCP shall be outlined.

The Contractor shall sample, test, and evaluate the full depth reclamation process in accordance with the following minimum frequencies:

MINIMUM QUALITY CONTROL FREQUENCIES

Test or Action	Frequency	Test Method
Density	1 per 300 m [1000 ft] / lane	AASHTO T 310
Air Temperature	4 per day at even intervals	
Surface Temperature	At the beginning and end of each days operation	
Yield of all materials (The daily yield, yield since last test, and total project yield.)	1 per 300 m [1000 ft] / lane	

The Department has the right to view any QC test and to request a QC test at any time.

The Contractor shall submit all QC test reports and summaries in writing, signed by the appropriate technician, and present them to the Department's onsite representative by 1:00 P.M. on the next working day, except when otherwise noted in the QCP due to local restrictions. The Contractor shall make all test results, including randomly sampled densities, available to the Department onsite.

The Contractor shall cease recycling operations whenever one of the following occurs:

- A. The computed yield differs from the approved Job Mix Formula by 10% or more.
- B. The Contractor fails to follow the approved QCP.
- C. The Contractor fails to achieve 98% density after corrective action has been taken.

Non-Compliance of the QCP will result in written warnings and reduction of the bid price as per Standard Specifications section 106 Quality subsection 106.4.6 QCP Non-Compliance.

Recycling operations shall not resume until the Department agree on the corrective action to be taken.

309.07 Test Strip The contractor shall assemble all items of equipment for the recycling operation on the first day of the foamed asphalt work. The Contractor shall construct a test strip for the project at a location approved by the Resident. The Responsible onsite Recycling Supervisor will work with Department personnel to determine the suitability of the mixed material, bitumen dispersion within the mixed material, moisture control within the mixed material, and compaction and surface finish. The test strip section is required to:

- A. Demonstrate that the equipment and processes can produce recycled layers to meet the requirements specified in these special provisions.
- B. Determine the effect on the gradation of the recycled material by varying the forward speed of the recycling machine and the rotation rate of the milling drum.
- C. Determine the sequence and manner of rolling necessary to obtain the compaction requirements and establish a target TMD. The Contractor and the Department will calibrate their respective gauges at this time.

The test strip shall be at least 100 m [300 ft] in length of a full lane-width (or a half-road width).

Full recycling production will not start until a passing test strip has been accomplished. If a test strip fails to meet the requirements of this specification, the Contractor will be required to repair or replace the test strip to the satisfaction of the Resident. Any repairs, replacement, or duplication of the test strip will be at the Contractor's expense.

Quality Assurance density testing of the recycled material will be performed by the Department using the nuclear method. After the test strip has been pulverized, the foamed asphalt added and mixed, and the roadway brought to proper shape, it will be rolled as directed until the nuclear density readings show an increase in dry density of less than 16 kg/m³ [1 pcf] for the final four roller passes. This density will be used as the target TMD for the recycled material. The remaining full depth recycled material shall be compacted to a minimum density of 98% of the target density as determined in the control section.

ACCEPTANCE TEST FREQUENCY

Property	Frequency	Test Method
In-place Density	1 per 600 m [2000 ft] / lane	AASHTO T 310

309.08 Miscellaneous No new pavement shall be placed on the full depth recycled pavement until a curing period of 48 hours has elapsed. If inclement weather occurs, the Department reserves the right to extend the curing period.

309.09 Method of Measurement Full Depth recycled material (with Foamed Asphalt) will be measured by the square meter [yd²]. New aggregate, as defined under section 309.021, added to restore grade and/or cross-slope shall be measured for payment.

309.10 Basis of Payment The accepted quantity of Full Depth Recycled Pavement with Foamed Asphalt shall be paid for at the contract unit price per square meter [yd²], complete in-place to the specified limits, which price shall be full compensation for furnishing all equipment and labor for pulverizing, blending, placing, grading, compacting and for all incidentals necessary to complete the work including asphalt binder, water, Portland Cement, lime, and crusher dust.

Payments will be made under:

<u>Pay Item</u>	<u>Pay Unit</u>
309.35 Full Depth Recycled Pavement with Foamed Asphalt 125mm [5 in] depth	Square Meter [yd ²]
309.36 Full Depth Recycled Pavement with Foamed Asphalt 150mm [6 in] depth	Square Meter [yd ²]

SPECIAL PROVISION
SECTION 309
FULL DEPTH RECYCLED ASPHALT PAVEMENT
(with foamed asphalt)

Mix Design

The Full Depth Recycled Pavement on this project will be treated with the following material proportions:

PG 64-28 asphalt binder	3.50 %
Water needed to ensure proper foaming	3 %
Portland cement (Type I or II)	1.50 %
Crusher Dust	2.00 %

The optimum moisture content for compaction shall be determined by the Department using samples obtained from the pulverized material prior to addition of the foamed asphalt, by means of AASHTO T 180, Method D.

A contract modification will be executed if percentages change from the requirements above for added asphalt, Portland cement or lime changes by more than 0.10%. Positive and negative price adjustments will be made. The price adjustment will be based upon receipted bills for materials delivered the project site. If a price adjustment is warranted, the contractor will supply the Department with all receipted bills for PG asphalt binder, Portland cement or lime for the entire project. Adjustments in water content exceeding the initial targets shall not be paid for directly, but shall be incidental.

SPECIAL PROVISION
SECTION 310
PLANT MIXED RECYCLED ASPHALT PAVEMENT

310.01 Description This work shall consist of the removal of all bituminous pavement from the existing roadway, hauling the bituminous pavement to an approved location, and processing as per Section 310.020. The gravel base of the existing roadway shall be re-graded and compacted to the tolerances shown on the typicals, or as directed by the Resident.

All plant mixed recycled asphalt pavement shall be placed in one or more courses on an approved base and in accordance with these specifications, and in reasonably close conformity with the lines, grades and thicknesses indicated on the plans, or as established by the Resident. Excess recycled material not used in the PMRAP process will become the property and responsibility of the contractor.

MATERIALS

310.020 Composition of Mixture The mixture shall be composed as directed in the job mix formula. The recycled asphalt pavement shall be processed by the Contractor so all material will be no larger than 37.5 mm [1.5 in] and stockpiled so as to minimize segregation. The stockpile shall be free of any materials not generally considered to be asphalt pavement. If additional material is required, the material will be supplied by the State or acquired from the Contractor through the Contract Modification process.

A job mix formula shall be furnished by the Department establishing the percentage of emulsified asphalt cement, Portland Cement, aggregate, and water to be used in the mixture. The JMF additive proportions will be verified by taking a second recycled material sample once the stockpiles have been constructed.

Emulsion, water, aggregate and Portland Cement shall be added in percentage by weight and verified by tank checks done in accordance with the minimum quality control frequencies. Cement additive may be done in dry form or introduced as a cement slurry.

310.021 Emulsified Asphalt The emulsified asphalt shall be grade MS-2, MS-4, CSS-1, or HFMS-2 meeting the requirements of Section 702.04 - Emulsified Asphalt.

310.022 Portland Cement Portland Cement shall be Type I or II meeting the requirements of AASHTO M85.

310.023 Water Water shall be clean and free from deleterious concentrations of acids, alkalis, salts or other organic or chemical substances.

310.024 New Aggregate New aggregate, if required by the contract or job mix, shall meet the requirements of Section 411.02 - Untreated Aggregate Surface Course.

EQUIPMENT

310.030 Mixing Plant The mixing plant shall be of sufficient capacity and coordinated to adequately handle the proposed construction. Either a continuous pugmill mixer or a continuous drum type mixing plant shall be used. If a drum mixing plant is used it shall meet the requirements of Section 401.07. The mixing plant shall be capable of producing a uniform mixture meeting the requirements of the job mix formula.

310.031 Hauling Equipment Trucks used for hauling the mixture shall meet the requirements of Section 401.08.

310.032 Bituminous Pavers Pavers shall meet the requirements of Section 401.09.

310.033 Rollers Rollers shall meet the requirements of Section 401.10.

CONSTRUCTION REQUIREMENTS

310.040 Mixing The recycled asphalt pavement shall be delivered to the mixer at a temperature of not less than 10°C [50°F]. The emulsified asphalt shall meet the mixing temperature requirements listed in Section 702.05 - Application Temperatures. Recycled pavement and emulsified asphalt, and cement shall be proportioned and the mixing time set to produce a mixture in which uniform distribution of the emulsified asphalt and coating of the recycled pavement is obtained.

If a drum type mixing plant is used, the recycled asphalt pavement may be heated prior to being mixed with the emulsified asphalt to a temperature not to exceed 90°C [195°F].

Following mixing, the recycled asphalt pavement material shall be stockpiled and incorporated into the work. The material shall not be stockpiled for longer than 24 hours.

310.041 Weather Limitations The plant mixed recycled asphalt pavement shall be performed when:

- a. PM-RAP operations will be allowed between May 15th and September 15th inclusive in Zone 1 - Areas north of US Route 2 from Gilead to Bangor and north of Route 9 from Bangor to Calais. PM-RAP will be allowed between May 1st and September 30th inclusive in Zone 2 - Areas south of Zone 1 including the US Route 2 and Route 9 boundaries.
- b. The atmospheric temperature, as determined by an approved thermometer placed in the shade at the recycling location, is 10°C [50°F] and rising.
- c. When there is no standing water on the surface.
- d. During generally dry conditions, or when weather conditions are such that proper pulverizing, adding, mixing, and curing can be obtained using proper procedures, and when compaction can be accomplished as determined by the Resident.
- e. When the surface is not frozen and when overnight temperatures are expected to be above 0°C [32°F].

310.042 Spreading and Finishing The mixture shall be spread and finished in accordance with Section 401.15. Total layer thickness greater than 100 mm [4 in] will be placed in 2 lifts.

310.043 Compaction Compaction of the mixture shall be in accordance with Section 401.16. Rolling may be delayed to avoid lateral displacement as directed by the Resident. See also Section 310.051.

310.044 Joints Joints shall be constructed in accordance with Section 401.17.

310.045 Surface Tolerances The surface tolerances shall be as specified in Section 401.101, except that the maximum allowable variation shall be 10 mm [$\frac{3}{8}$ in]. The surface tolerance in existing gravel areas covered by PMRAP, with no additional gravel, shall be ± 10 mm [$\frac{3}{8}$ in].

TESTING REQUIREMENTS

310.050 Quality Control The Contractor shall operate in accordance with the approved Quality Control Plan (QCP) to assure a product meeting the contract requirements. The QCP shall meet the requirements of Section 106.6 - Acceptance and this Section. The Contractor shall not begin recycling operations until the Department approves the QCP in writing.

Prior to performing any recycling process, the Department and the Contractor shall hold a Pre-recycle conference to discuss the recycling schedule, type and amount of equipment to be used, sequence of operations, and traffic control. A copy of the QC random numbers to be used on the project shall be provided to the Resident. All field and plant supervisors including the responsible onsite recycling process supervisor shall attend this meeting.

The QCP shall address any items that affect the quality of the Recycling Process including, but not limited to, the following:

- a. JMF(s).
- b. Mixing details, pugmill type, production rates, material processing.
- c. Make and type of paver(s).
- d. Make and type of rollers including weight, weight per inch of steel wheels, and average contact pressure for pneumatic tired rollers.
- e. Testing Plan.
- f. Transportation including process for ensuring that truck bodies are clean and free of debris or contamination that could adversely affect the finished product, type of release agent used (if required)
- g. Laydown operations including procedures for mix design modification, avoiding recycling and curing in inclement weather, material yield monitoring, methods to ensure that segregation is minimized, longitudinal joint construction, procedures to determine the maximum rolling and placing speeds based on field quality control, and achieving the best possible smoothness.
- h. Methods for protecting the finished product from damage and procedures for any necessary corrective action.
- i. Method of grade checks.
- j. Examples of Quality Control forms.
- k. Name, responsibilities, and qualifications of the Responsible onsite Recycling Supervisor experienced and knowledgeable with the process.
- l. Method for calibration/verification of density gauge.
- m. A note that all testing will be done in accordance with AASHTO and MDOT/ACM procedures.
- n. Stockpile procedures including method of moisture control.

The Project Superintendent shall be named in the QCP, and the responsibilities for successful implementation of the QCP shall be outlined.

The Contractor shall sample, test, and evaluate the PMRAP process in accordance with the following procedures and minimum frequencies:

MINIMUM QUALITY CONTROL FREQUENCIES

Test or Action	Frequency	Test Method
Density	1 per 300 m [1000 ft] / lane	ASTM D 2950
Air Temperature	4 per day at even intervals	
Surface Temperature	At the beginning and end of each days operation	
Yield of all materials (Both the daily yield and yield since last test)	4 per day at even intervals	

The Contractor shall submit all QC test reports and summaries in writing, signed by the appropriate technician, and present them to the Department's onsite representative by 1:00 P.M. on the next working day, except when otherwise noted in the QCP due to local restrictions. The Contractor shall make all test results, including randomly sampled densities, available to the Department onsite.

The Contractor shall cease recycling operations whenever one of the following occurs:

- The computed yield differs from the approved Job Mix Formula by 10% or more.
- The Contractor fails to follow the approved QCP.
- The Contractor fails to achieve 98% density after corrective action has been taken.

Non-Compliance of the QCP will result in written warnings and reduction of the bid price as per Standard Specifications section 106 Quality subsection 106.4.6 QCP Non-Compliance.

Recycling operations shall not resume until the Contractor and the Department agree on the corrective action to be taken.

310.051 Test strip The contractor shall assemble all items of equipment for the recycling operation on the first day of the recycling work. The Contractor shall construct a test strip for the project at a location approved by the Resident. The test strip section is required to:

- Demonstrate that the equipment and processes can produce recycled layers to meet the requirements specified in these special provisions;
- Determine the effect on the grading of the recycled material by varying the forward speed of the paving machine; and;
- Determine the sequence and manner of rolling necessary to obtain the compaction requirements and establish a target TMD. The Contractor and the Department will calibrate their respective gauges at this time.

The test strip shall be at least 100 m [300 ft] in length of a full lane-width (or a half-road width).

Full PMRAP production will not begin until an acceptable test strip has been constructed. If a test strip fails to meet the requirements of this specification, the Contractor will be required to repair or replace the test strip to the satisfaction of the Resident. Any repairs, replacement, or duplication of the test strip will be at the Contractor's expense.

Quality Assurance density testing of the recycled material will be performed by the Department using the

nuclear method. After the test strip has been placed, it will be rolled as directed until the nuclear density readings show an increase in density of less than 16 kg/m³ [1 pcf] for the final four roller passes. The test strip density will be used as the target density for the recycled material. The remaining PMRAP material shall be compacted to a minimum density of 98% of the target density as determined in the control section.

ACCEPTANCE TEST FREQUENCY

Property	Frequency	Test Method
In-place Density	1 per 600 m [2000 ft] / lane	ASTM D 2950

310.052 Repairs Repairs and maintenance for the PMRAP layers, during and after the curing period, resulting from damage caused by traffic, weather or environmental conditions, or caused by the Contractor's operations or equipment, shall be completed at no additional cost to the Department.

Low areas will be repaired using a hot mix asphalt shim course. Areas up to 25mm [1 in] high can be repaired by milling or shimming with hot mix asphalt. Areas higher than 25mm [1 in] will be repaired using a hot mix asphalt shim. All repair work will be done with the Resident's approval at the Contractor's expense.

310.06 Curing No new hot mix asphalt pavement or additional layers of PM-RAP shall be placed on the recycled asphalt pavement until a curing period of (4) four days has elapsed. The curing period starts once the PM-RAP has been placed in the roadway. When weather conditions are unfavorable, the curing period may be extended by the Resident.

310.07 Method of Measurement Plant Mixed Recycled Asphalt Pavement shall be measured by the square meter [square yard].

310.08 Basis of Payment The accepted quantity of Plant Mixed Recycled Asphalt Pavement will be paid for at the contract unit price per square meter [square yard], complete in-place which price will be full compensation for furnishing all equipment and labor for removing existing pavement, regrading and compacting existing gravel base, processing, mixing, testing, placing, and compacting, excess material relocation, and for all incidentals necessary to complete the work.

Payments will be made under:

<u>Pay Item</u>	<u>Pay Unit</u>
310.23 - 75mm [3 in] Plant Mixed Recycled Asphalt Pavement	Square Meter [yd ²]
310.24 - 100mm [4 in] Plant Mixed Recycled Asphalt Pavement	Square Meter [yd ²]
310.25 - 125mm [5 in] Plant Mixed Recycled Asphalt Pavement	Square Meter [yd ²]
310.26 - 150mm [6 in] Plant Mixed Recycled Asphalt Pavement	Square Meter [yd ²]

SPECIAL PROVISION
SECTION 310
PLANT MIX RECYCLED ASPHALT PAVEMENT
(PM RAP)

Mix Design

The PLANT MIX RECYCLED ASPHALT PAVEMENT on this project will be treated with the following material proportions:

Emulsion	3.50 % based on weight.
Water	3.00 %-6% based on weight.
Portland cement (Type I or II)	1.25 % based on weight.

The optimum moisture content for compaction shall be determined by the Department using samples obtained from the roadway, by means of AASHTO T 180, Method D.

A contract modification will be executed if percentages change from the requirements above for added asphalt, Portland cement or lime changes by more than 0.10%. Positive and negative price adjustments will be made. The price adjustment will be based upon receipted bills for materials delivered the project site. If a price adjustment is warranted, the contractor will supply the Department with all receipted bills for PG asphalt binder, Portland cement or lime for the entire project. Adjustments in water content exceeding the initial targets shall not be paid for directly, but shall be incidental.

Pin 11398.00

Pin 11575.00

Pin 11576.00

Special Provision

SECTION 310

PLANT MIXED RECYCLED ASPHALT PAVEMENT

(Excess material to State)

310.01 Description Delete the last sentence and add the following; “Excess reclaimed material not used in the PM-RAP process will become the property of the State. All removed pavement will be processed in accordance with section 310.020 and hauled to an approved State stockpile located at Whiting Hill off of I-395 . All processing, hauling, and stockpiling will be considered incidental to the Contract.

SPECIAL PROVISION

SECTION 310

Cold in-Place Recycled Asphalt Pavement (Traveling Pugmill)

310.01 Description The Contractor shall construct a Cold In-place Recycled Pavement base course in accordance with the Contract documents and in reasonably close conformity with the lines, grades, thicknesses, and typical cross sections shown on the plans or as established by the Resident. This work will consist of milling 75 to 175 mm [3 to 7 in] of existing bituminous pavement, pulverizing and sizing the millings, the addition of emulsified asphalt and Portland Cement or hydrated lime to the proportions specified, the mixing and placement of the mixture full width as required in the contract, (including shoulders) and compacting the mixture as one continuous operation to the lines, grades and thicknesses indicated on the plans or as established by the Resident. Excess recycled material not used in the CIP process will become the property of the State.

MIX DESIGN

310.02 Composition of Mixture The Contractor shall provide the Resident with a proposed mix design a minimum of two weeks prior to commencing work. The proposed mixed design shall include the emulsified asphalt binder application percentage, type and supplier, the percentage of Portland Cement or hydrated lime to be added, and the percentage of any supplemental aggregates to be added.

- a. The aim for air voids in the final product is 8 to 11%.
- b. The Contractor may add water as needed to the sized material to facilitate uniform mixing and compaction.
- c. Included in the mix design will be the product information from the supplier of the asphalt emulsion binder and any product information regarding the portland cement or hydrated lime.
- d. The Contractor will be responsible for deciding and conducting investigative work to determine the properties of the existing in place bituminous mixes which the Contract documents do not describe. Any cores or laboratory testing the contractor performs to establish the recycled mix design will be incidental to the Cold in Place Recycle pay item and not paid for separately. A copy of all test results on the pavement samples shall be included with the mix design.

The addition of hydrated lime, or Portland Cement at 0.50% to 1.0% by weight is required and is to be included in the mix design criteria. Emulsion, water, aggregate, cement shall be added in percentage by weight and verified by tank checks according to the Quality Control Plan. Cement or lime may be added in dry form or in a slurry.

MATERIALS

310.030 Pulverized Material Recycled bituminous pavement, after milling and sizing, will meet the following gradation requirements:

<u>Sieve Size</u>	<u>% Passing Limits</u>
37.5 mm [1 ½ in]	100
25 mm [1 in]	95-100

310.031 Emulsified Asphalt The emulsified asphalt binder shall be a high float asphalt emulsion grade HFMS-2, or a cationic slow-set grade CSS-1H, that meets the requirements of Section 702.04.

310.032 Portland Cement The Portland Cement shall be Type 1 or 2 that meets the requirements of AASHTO M85.

310.033 Hydrated Lime The hydrated lime shall meet the requirements of AASHTO M216.

310.034 Added Aggregates New aggregate, if required by the contract or job mix, shall meet the requirements of Section 411.02 - Untreated Aggregate Surface Course.

310.035 Added Water Water shall be clean and free from deleterious concentrations of acids, alkalis, salts or other organic or chemical substances.

EQUIPMENT

310.040 Equipment The existing bituminous pavement shall be recycled in a continuous operation using a recycling train consisting of the following major components. The recycling equipment and operations may be combined onto one unit:

310.041 Mainline Cold Milling Machine The unit shall be self-propelled with a down cutting drum, or an approved up-cutting drum, and be automated to continuously adjust and maintain treatment depth and cross slope. The cutting drums shall be a minimum of 3 meter [10 ft] in width, with the ability to add 0.3 or 0.6 meter [1 or 2 ft] extensions to the drum or have hydraulically extendable milling heads with a 3.6 m [12 ft] width. Dust suppression systems are required. The unit should be capable of recycling the pavement for the entire lane width to the required dimensions in one pass.

310.042 Shoulder Cold Milling Machine If required, the shoulder unit shall have a minimum cutting drum of 2 meter [6.5 ft] in width or equal to the shoulder width to be recycled. This unit shall precede the larger mainline milling machine to remove existing pavement off any existing paved shoulders. The material will be placed via a lift conveyor onto the existing mainline roadway surface to be incorporated and processed by the mainline milling machine.

310.043 Screening and Sizing Unit This unit shall be capable of reducing and sizing the recycled asphalt pavement to the specified gradations prior to mixing with the asphalt emulsion, and cement or lime additives. Oversize particles shall not be included in the final mix. The manufacture of excessive waste through the screening process will be prohibited. If more than 5% of the recycled material is screened off as waste, the contractor will be required, at no additional compensation, to re-introduce the material ahead of the train to be reprocessed.

310.044 Portable Mixing Unit The unit shall be capable of producing a uniform, thoroughly mixed, cold mix asphalt product.

The material feed system to the mixing unit shall be equipped with a computer controlled weigh bridge that will determine the mass of recycled material, by weight, being deposited into the mixing unit prior to the

addition of the emulsified liquid asphalt. The scales shall be calibrated to the manufacturer's tolerance at the start of the contract and will be checked for conformance to Section 401.074.

This mixing unit shall be of a dual shaft pugmill design, equipped with a metering device which will continuously meter and maintain the amount of emulsified asphalt being added to the process to a tolerance of $\pm 0.25\%$ of the total, by weight.

The emulsion control unit shall be equipped with a flow meter and a total delivery meter. A positive displacement pump capable of accurately metering the required quantity of emulsion down to a rate of 15.1 L/min [4gal/min] into the recycled material is required.

The pump shall be equipped with a positive interlock system that will shut off automatically when material is not present in the mixing chamber.

Each mixing machine shall be equipped with a meter capable of registering the rate of flow and total delivery of the emulsion introduced into the mixture.

The unit shall be designed to either deposit the mixed product onto the roadway in a sized windrow, or capable of depositing the product directly into a paver hopper.

Only tankers with a capacity exceeding 10,000 L [2500 gal] shall be used to supply the recycling machine with bitumen. No leaking tanker will be permitted on the job site. In addition, each tanker shall be equipped with the following:

- a. A thermometer to show the temperature of the contents in the bottom third of the tank.
- b. Insulation to retain heat.
- c. A calibrated dipstick marked at intervals of no more than 100 L [25 gal], for measuring the contents of the tank.

310.045 Placing Equipment If a pick up conveyor is to be utilized to transfer the windrow into a paver hopper, the pick up conveyor machine shall be capable of removing the entire windrow down to the underlying material. The paver utilized to place the recycled product shall conform to Section 401.09.

310.046 Compaction Equipment Compaction equipment shall meet the requirements of Standard Specification 401, subsection 401.10 – Rollers, with the following additional requirements:

Minimum compaction equipment shall consist of two 9 Mg [10 ton] double drum steel wheel vibratory rollers and one 18 Mg [20 ton] pneumatic tired roller. The minimum allowable tire pressure shall be 586 kPa [85 psi]. The Contractor shall furnish a suitable tire gauge for determining air pressure in the tires.

Additional equipment may be required in sufficient numbers and weight to obtain the required compaction.

CONSTRUCTION REQUIREMENTS

310.05 Removal of Existing Pavement The existing pavement surface, including cracks, shall be visibly free from all foreign matter before recycling commences. The Contractor is responsible for removing any deleterious materials or crack sealants decided to be an interference with the cold recycle process. In areas where paved shoulders exist, the shoulders will be milled just ahead of the mainline milling and removed material incorporated into the recycle process.

When areas of the pavement surface are inaccessible because of the physical constraints of the equipment, the pavement shall be removed by other means and replaced by an approved source of hot mix asphalt.

310.06 Weather and Temperature Limitations The Cold In-Place Recycled process shall be performed when:

- a. CIP operations will be allowed between May 15th and September 15th inclusive in Zone 1 - Areas north of US Route 2 from Gilead to Bangor and north of Route 9 from Bangor to Calais. Foaming operations will be allowed between May 1st and September 30th inclusive in Zone 2 - Areas south of Zone 1 including the US Route 2 and Route 9 boundaries.
- b. The atmospheric temperature, as determined by an approved thermometer placed in the shade at the recycling location, is 10°C [50°F] and rising.
- c. When there is no standing water on the surface.
- d. During generally dry conditions, or when weather conditions are such that proper pulverizing, adding, mixing, and curing can be obtained using proper procedures, and when compaction can be accomplished as determined by the Resident.
- e. When the surface is not frozen and when overnight temperatures are expected to be above 0°C [32°F].
- f. Wind conditions as such that the spreading of lime or cement on the roadway ahead of the recycling machine will not adversely affect the operation.

310.061 Curing No new hot mix asphalt pavement or additional layers of CIP shall be placed on the recycled asphalt pavement until a curing period of (4) four days has elapsed. The curing period starts once the CIP process has been completed in the roadway. When weather conditions are unfavorable, the curing period may be extended by the Resident.

310.07 Surface Tolerances The completed recycled pavement surface will be shaped, compacted, smoothed and true to required line and grade. Deviations in the finished surface shall not exceed 10 mm [3/8 in] in any direction using a 3 meter [10 ft] minimum straight edge. Any repairs required to correct surface deviations are at the contractor's expense using Department approved material and methods.

The Contractor shall protect the completed surface from damage caused by construction vehicles and equipment. The recycled pavement surface shall be protected and closed to traffic until it is determined that surface damage no longer occurs when a test vehicle is passed over it. The contractor is responsible for determining when the completed surface is suitable for traffic loading without damage. Any repairs to correct damage will be at the contractor's expense.

310.071 Joints Joints shall be constructed in accordance with Section 401.17.

310.08 General Procedure Mainline milling is to be accomplished full width, one pass, and the material will be conveyed into a sizing and crushing unit. Once sized, the material is conveyed to a mixing unit where the specified percentage of asphalt emulsion, Portland Cement, or lime is introduced for the coating and mixing process.

The thoroughly mixed recycled product will either be deposited, (a) in a windrow behind the mixing unit and picked up via a conveyor, or (b) directly conveyed into a paver hopper for laydown. The mix will be laid full width, including shoulders where paved shoulders existed, to the specified grade and slope.

Water shall be used as necessary to assist the compaction effort.

TESTING REQUIREMENTS

310.09 Quality Control The Contractor shall operate in accordance with the approved Quality Control Plan (QCP) to assure a product meeting the contract requirements. The QCP shall meet the requirements of Section 106.6 - Acceptance and this Section. The Contractor shall not begin recycling operations until the Department approves the QCP in writing.

Prior to performing any recycling process, the Department and the Contractor shall hold a Pre-recycle conference to discuss the recycling schedule, type and amount of equipment to be used, sequence of operations, and traffic control. A copy of the QC random numbers to be used on the project shall be provided to the Resident. All field and plant supervisors including the responsible onsite recycling process supervisor shall attend this meeting.

The QCP shall address any items that affect the quality of the Recycling Process including, but not limited to, the following:

- a. JMF(s).
- b. Make and type of rollers including weight, weight per inch of steel wheels, and average contact pressure for pneumatic tired rollers.
- c. Make and type of equipment in recycling train.
- d. Testing Plan.
- e. Laydown operations including joint construction, yield monitoring, procedures for avoiding recycling and curing in inclement weather, methods to ensure that segregation is minimized, procedures for mix design modification.
- f. Methods for protection the finished product from damage and procedures for any necessary corrective action.
- g. Method of grade checks.
- h. Examples of Quality Control forms.
- i. Name, responsibilities, and qualifications of the Responsible onsite Recycling Supervisor experienced and knowledgeable with the process.
- j. Method for calibration/verification of density gauge.
- k. A note that all testing will be done in accordance with AASHTO and MDOT/ACM procedures.
- l. Description of the Cold In-place recycled verification procedure.

The Project Superintendent shall be named in the QCP, and the responsibilities for successful implementation of the QCP shall be outlined.

The Contractor shall sample, test, and evaluate the cold in-place recycling process in accordance with the following minimum frequencies:

MINIMUM QUALITY CONTROL FREQUENCIES

Test or Action	Frequency	Test Method
Density	1 per 300 m [1000 ft] / lane	ASTM D 2950
Air Temperature	4 per day at even intervals	
Surface Temperature	Beginning and end each day	
Yield of all materials (daily)	1 per 300 m [1000 ft] / lane	
New Aggregate Gradations	2 per day	AASHTO T 30

The Contractor shall submit all QC test reports and summaries in writing, signed by the appropriate technician, and present them to the Department's onsite representative by 1:00 P.M. on the next working day, except when otherwise noted in the QCP due to local restrictions. The Contractor shall make all test results, including randomly sampled densities, available to the Department onsite.

During the Cold in-place recycling procedure the Contractor shall take verification samples of the recycled material prior to adding the emulsion at a rate of one per 8000 lane meters [26000 lane ft], or a minimum of one per project.. The samples will mixed to the proportions specified in the job mix formula, and tested by the Contractor for conformance to the contract specifications.

Penalties for QCP non-compliance will be in accordance with Standard Specification 106.4.6

The Contractor shall cease recycling operations whenever one of the following occurs:

- The computed yield differs from the approved Job Mix Formula by 10% or more.
- The Contractor fails to follow the approved QCP.
- The Contractor fails to achieve 98% density after corrective action has been taken.
- The Contractors verification samples show the air void content of the recycled product is outside the 8-11% range.
- The finished product is visually defective, as determined by the Resident.

Recycling operations shall not resume until the Contactor and the Department agree on the corrective action to be taken.

310.10 Test strip The contractor shall assemble all items of equipment for the recycling operation on the first day of the recycling work. The Contractor shall construct a test strip for the project at a location approved by the Resident. The contractor shall have on site a pavement engineer expert in CIP work to control the test strip, advise on suitability of mixed material, bitumen dispersion within the mixed material, moisture control within the mixed material, compaction and surface finish. The test strip section is required to:

- Demonstrate that the equipment and processes can produce recycled layers to meet the requirements specified in these special provisions.
- Determine the effect on the grading of the recycled material by varying the forward speed of the recycling machine and the rotation rate of the milling drum.
- Determine the sequence and manner of rolling necessary to obtain a target TMD. The Contractor and the Department will calibrate their respective gauges at this time.

The test strip shall be at least 230 m [750 ft] in length of a full lane-width (or a half-roadway section width).

The Contractor shall repeat the test strip process until parameters of the material properties conform to the requirements specified herein and as directed by the Resident. If a test strip fails to meet the requirements outlined in this Special Provision, the contractor will be required to take corrective action to remedy the test strip defect to the satisfaction of the Resident at no additional cost to the Department. The repeated process of the test strip construction shall be done at the Contractor's expense. The corrective method shall be determined by the Contractor, as directed by the Resident.

Quality Assurance densities of the recycled material will be determined by the Department using the nuclear method. The test strip section will be rolled as directed until the nuclear density readings show an increase in dry density of less than 16 kg/m³ [1 pcf] for the final four roller passes. This density will be used as the target density for the recycled material. The remaining full depth recycled material shall be compacted to a minimum density of 98% of the target density as determined in the control section.

ACCEPTANCE TEST FREQUENCY

Property	Frequency	Test Method
In-place Density	1 per 600 m [2000 ft] / lane	AASHTO T 310

310.11 Measurement and Payment The accepted quantity of Cold in Place Recycled Pavement will be measured and paid for by the square meter [square yard] complete and in place to the limits specified in the contract documents. The unit price shall include all materials, equipment, supervision, and labor and tools incidental thereto.

No additional payment will be made for hot mix required to replace material that cannot be compacted to the specified density, or used to replace damaged or raveled sections. The removal of existing pavement, placement, and compaction of any hot mix asphalt required in areas that are inaccessible due to the limitations of equipment shall be paid for as Cold in place Recycle mix per square yard.

Payment to be made under:

<u>Pay Item</u>	<u>Pay Unit</u>
310.33 75mm [3 in] Cold in-Place Recycled Asphalt Pavement	square meter [square yard]
310.34 100mm [4 in] Cold in-Place Recycled Asphalt Pavement	square meter [square yard]
310.35 125mm [5 in] Cold in-Place Recycled Asphalt Pavement	square meter [square yard]

SPECIAL PROVISION
SECTION 403
HOT MIX ASPHALT OVERLAY

Desc. of Course	Grad. Design	Item #	Bit Cont. % of Mix	Total Thick	No. of Layers	Comp. Notes
<u>Mainline Travelway</u>						
<u>C.I.P.R Areas</u>						
Wearing	9.5mm	403.210	N/A	1 ¼"	1	4,7
Shim	9.5mm	403.211	N/A	¾" minimum	1/more	2,4,9
<u>Shoulders -C.I.P.R Areas</u>						
Wearing	9.5mm	403.210	N/A	1 ¼"	1	4,7
Shim	9.5mm	403.211	N/A	variable	1/more	2,4,9
<u>Mainline Travelway and Shoulders</u>						
<u>3" Mill and Overlay Areas</u>						
Wearing	9.5mm	403.210	N/A	1 ¼"	1	4,7
Base	12.5mm	403.213	N/A	1 ¾"	1/more	4,7
<u>Bridge Deck Travelway and Shoulders</u>						
<u>1 1/2" Mill and Overlay Area</u>						
Wearing	9.5mm	403.210	N/A	1 ½"	1	4,7
<u>Mainline Travelway</u>						
<u>Shim and Overlay Areas</u>						
Wearing	9.5mm	403.210	N/A	1 ¼"	1	4,7
Shim	9.5mm	403.211	N/A	variable	1/more	2,4,7
<u>Shoulders</u>						
<u>Shim and Overlay areas</u>						
Wearing	9.5mm	403.210	N/A	1 ¼"	1	4,7
<u>Sidewalks, Drives, Misc.</u>						
Wearing	9.5mm	403.209	N/A	1 ½ "	1/more	2,3,9,10,13

COMPLEMENTARY NOTES

2. The density requirements are waived.
3. The design traffic level for mix placed shall be <0.3 million ESALS.
4. The design traffic level for mix placed shall be 0.3 to <3 million ESALS.
7. Section 106.6 Acceptance, (1) Method A.
9. Section 106.6 Acceptance, (2) Method C.
10. A **"FINE"** 9.5 mm mix with a gradation above or through the restricted zone shall be used for this item.
13. A mixture meeting the requirements of section 703.09 Grading 'D', with a minimum PGAB content of 6%, and the limits of Special Provision 401, Table 9 (Drives and Sidewalks) for PGAB content and gradation may be substituted for this item. A job mix formula shall be submitted to the department for approval.

Tack Coat

A tack coat of emulsified asphalt, RS-1 or HFMS-1, Item 409.15 shall be applied to any existing pavement at a rate of approximately 0.025 gal/yd², and on milled pavement approximately 0.05 gal/yd², prior to placing a new course. A fog coat of emulsified asphalt shall be applied between shim /base courses and the surface course, at a rate not to exceed 0.025 gal/yd².

Tack used between layers of pavement will be paid for at the contract unit price for Item 409.15 Bituminous Tack Coat.

SPECIAL PROVISION
SECTION 403
HOT MIX ASPHALT OVERLAY

Desc. of Course	Grad. Design	Item #	Bit Cont. % of Mix	Total Thick	No. of Layers	Comp. Notes
<u>Mainline Travelway and Shoulders</u>						
<u>1 1/2" Mill and Overlay Areas</u>						
Wearing	9.5mm	403.210	N/A	1 1/2"	1	4,7
<u>Sidewalks, Drives, Misc.</u>						
Wearing	9.5mm	403.209	N/A	1 1/2 "	1/more	2,3,9,10,13

COMPLEMENTARY NOTES

2. The density requirements are waived.
3. The design traffic level for mix placed shall be <0.3 million ESALS.
4. The design traffic level for mix placed shall be 0.3 to <3 million ESALS.
7. Section 106.6 Acceptance, (1) Method A.
9. Section 106.6 Acceptance, (2) Method C.
10. A **"FINE"** 9.5 mm mix with a gradation above or through the restricted zone shall be used for this item.
13. A mixture meeting the requirements of section 703.09 Grading 'D', with a minimum PGAB content of 6%, and the limits of Special Provision 401, Table 9 (Drives and Sidewalks) for PGAB content and gradation may be substituted for this item. A job mix formula shall be submitted to the department for approval.

Tack Coat

A tack coat of emulsified asphalt, RS-1 or HFMS-1, Item 409.15 shall be applied to any existing pavement at a rate of approximately 0.025 gal/yd², and on milled pavement approximately 0.05 gal/yd², prior to placing a new course. A fog coat of emulsified asphalt shall be applied between shim /base courses and the surface course, at a rate not to exceed 0.025 gal/yd².

Tack used between layers of pavement will be paid for at the contract unit price for Item 409.15 Bituminous Tack Coat.

SPECIAL PROVISION
SECTION 403
HOT MIX ASPHALT OVERLAY

Desc. of Course	Grad. Design	Item #	Bit Cont. % of Mix	Total Thick	No. of Layers	Comp. Notes
<u>2 ¾" HMA - Travelway and Shoulders</u>						
<u>Foamed Asphalt Treated Areas</u>						
Wearing	9.5mm	403.210	N/A	1 ¼"	1	4,7
Base	12.5mm	403.213	N/A	1 ½"	1/more	4,7
<u>Mainline Travelway and Shoulders</u>						
<u>1 1/2" Mill and Overlay Areas</u>						
Wearing	9.5mm	403.210	N/A	1 ½"	1	4,7
<u>Sidewalks, Drives, Misc.</u>						
Wearing	9.5mm	403.209	N/A	1 ½ "	1/more	2,3,9,10,13

COMPLEMENTARY NOTES

2. The density requirements are waived.
3. The design traffic level for mix placed shall be <0.3 million ESALS.
4. The design traffic level for mix placed shall be 0.3 to <3 million ESALS.
7. Section 106.6 Acceptance, (1) Method A.
9. Section 106.6 Acceptance, (2) Method C.
10. A **"FINE"** 9.5 mm mix with a gradation above or through the restricted zone shall be used for this item.
11. A mixture meeting the gradation of 12.5 mm hot mix asphalt may be used at the option of the contractor.
13. A mixture meeting the requirements of section 703.09 Grading 'D', with a minimum PGAB content of 6%, and the limits of Special Provision 401, Table 9 (Drives and Sidewalks) for PGAB content and gradation may be substituted for this item. A job mix formula shall be submitted to the department for approval.

Tack Coat

A tack coat of emulsified asphalt, RS-1 or HFMS-1, Item 409.15 shall be applied to any existing pavement at a rate of approximately 0.025 gal/yd², and on milled pavement approximately 0.05 gal/yd², prior to placing a new course. A fog coat of emulsified asphalt shall be applied between shim /base courses and the surface course, at a rate not to exceed 0.025 gal/yd².

Tack used between layers of pavement will be paid for at the contract unit price for Item 409.15 Bituminous Tack Coat.

SPECIAL PROVISION
SECTION 403
HOT MIX ASPHALT OVERLAY

Desc. of Course	Grad. Design	Item #	Bit Cont. % of Mix	Total Thick	No. of Layers	Comp. Notes
<u>3 1/4" HMA - Travelway and Shoulders</u>						
<u>PMRAP Treated Areas</u>						
Wearing	9.5mm	403.210	N/A	1 1/2"	1	4,7
Base	12.5mm	403.213	N/A	1 3/4"	1/more	4,7
<u>Mainline Travelway and Shoulders</u>						
<u>1 1/2" Mill and Overlay Areas</u>						
Wearing	9.5mm	403.210	N/A	1 1/2"	1	4,7
<u>Sidewalks, Drives, Misc.</u>						
Wearing	9.5mm	403.209	N/A	1 1/2 "	1/more	2,3,9,10,13

COMPLEMENTARY NOTES

2. The density requirements are waived.
3. The design traffic level for mix placed shall be <0.3 million ESALS.
4. The design traffic level for mix placed shall be 0.3 to <3 million ESALS.
7. Section 106.6 Acceptance, (1) Method A.
9. Section 106.6 Acceptance, (2) Method C.
10. A **"FINE"** 9.5 mm mix with a gradation above or through the restricted zone shall be used for this item.
11. A mixture meeting the gradation of 12.5 mm hot mix asphalt may be used at the option of the contractor.
13. A mixture meeting the requirements of section 703.09 Grading 'D', with a minimum PGAB content of 6%, and the limits of Special Provision 401, Table 9 (Drives and Sidewalks) for PGAB content and gradation may be substituted for this item. A job mix formula shall be submitted to the department for approval.

Tack Coat

A tack coat of emulsified asphalt, RS-1 or HFMS-1, Item 409.15 shall be applied to any existing pavement at a rate of approximately 0.025 gal/yd², and on milled pavement approximately 0.05 gal/yd², prior to placing a new course. A fog coat of emulsified asphalt shall be applied between shim /base courses and the surface course, at a rate not to exceed 0.025 gal/yd².

Tack used between layers of pavement will be paid for at the contract unit price for Item 409.15 Bituminous Tack Coat.

SPECIAL PROVISION
SECTION 403
HOT MIX ASPHALT OVERLAY

Desc. of Course	Grad. Design	Item #	Bit Cont. % of Mix	Total Thick	No. of Layers	Comp. Notes
<u>3 1/2" HMA Travelway and Shoulders</u>						
<u>PMRAP Treated Areas</u>						
Wearing	9.5mm	403.210	N/A	1 1/2"	1	4,7
Base	12.5mm	403.213	N/A	2"	1/more	4,7
<u>Mainline Travelway and Shoulders</u>						
<u>1 1/2" Mill and Overlay Areas</u>						
Wearing	9.5mm	403.210	N/A	1 1/2"	1	4,7
<u>Sidewalks, Drives, Misc.</u>						
Wearing	9.5mm	403.209	N/A	1 1/2 "	1/more	2,3,9,10,13

COMPLEMENTARY NOTES

2. The density requirements are waived.
3. The design traffic level for mix placed shall be <0.3 million ESALS.
4. The design traffic level for mix placed shall be 0.3 to <3 million ESALS.
7. Section 106.6 Acceptance, (1) Method A.
9. Section 106.6 Acceptance, (2) Method C.
10. A **"FINE"** 9.5 mm mix with a gradation above or through the restricted zone shall be used for this item.
11. A mixture meeting the gradation of 12.5 mm hot mix asphalt may be used at the option of the contractor.
13. A mixture meeting the requirements of section 703.09 Grading 'D', with a minimum PGAB content of 6%, and the limits of Special Provision 401, Table 9 (Drives and Sidewalks) for PGAB content and gradation may be substituted for this item. A job mix formula shall be submitted to the department for approval.

Tack Coat

A tack coat of emulsified asphalt, RS-1 or HFMS-1, Item 409.15 shall be applied to any existing pavement at a rate of approximately 0.025 gal/yd², and on milled pavement approximately 0.05 gal/yd², prior to placing a new course. A fog coat of emulsified asphalt shall be applied between shim /base courses and the surface course, at a rate not to exceed 0.025 gal/yd².

Tack used between layers of pavement will be paid for at the contract unit price for Item 409.15 Bituminous Tack Coat.

SPECIAL PROVISION
SECTION 403
HOT MIX ASPHALT OVERLAY

Desc. of Course	Grad. Design	Item #	Bit Cont. % of Mix	Total Thick	No. of Layers	Comp. Notes
<u>5 ½" HMA Travelway</u>						
<u>Untreated Full Depth Recycled Areas</u>						
Wearing	9.5mm	403.210	N/A	1 ½"	1	4,7
Base	12.5mm	403.213	N/A	4"	2/more	4,7
<u>3 ½" HMA Shoulders</u>						
<u>Untreated Full Depth Recycled Areas</u>						
Wearing	9.5mm	403.210	N/A	1 ½"	1	4,7
Base	12.5mm	403.213	N/A	2"	1/more	4,7
<u>Mainline Travelway and Shoulders</u>						
<u>1 1/2" Mill and Overlay Areas</u>						
Wearing	9.5mm	403.210	N/A	1 ½"	1	4,7
<u>Sidewalks, Drives, Misc.</u>						
Wearing	9.5mm	403.209	N/A	1 ½ "	1/more	2,3,9,10,13

COMPLEMENTARY NOTES

2. The density requirements are waived.
3. The design traffic level for mix placed shall be <0.3 million ESALS.
4. The design traffic level for mix placed shall be 0.3 to <3 million ESALS.
7. Section 106.6 Acceptance, (1) Method A.
9. Section 106.6 Acceptance, (2) Method C.
10. A **"FINE"** 9.5 mm mix with a gradation above or through the restricted zone shall be used for this item.
11. A mixture meeting the gradation of 12.5 mm hot mix asphalt may be used at the option of the contractor.
13. A mixture meeting the requirements of section 703.09 Grading 'D', with a minimum PGAB content of 6%, and the limits of Special Provision 401, Table 9 (Drives and Sidewalks) for PGAB content and gradation may be substituted for this item. A job mix formula shall be submitted to the department for approval.

Tack Coat

A tack coat of emulsified asphalt, RS-1 or HFMS-1, Item 409.15 shall be applied to any existing pavement at a rate of approximately 0.025 gal/yd², and on milled pavement approximately 0.05 gal/yd², prior to placing a new course. A fog coat of emulsified asphalt shall be applied between shim /base courses and the surface course, at a rate not to exceed 0.025 gal/yd².

Tack used between layers of pavement will be paid for at the contract unit price for Item 409.15 Bituminous Tack Coat.

SPECIAL PROVISION
SECTION 608

DETECTABLE WARNINGS
(Preformed Thermoplastic)

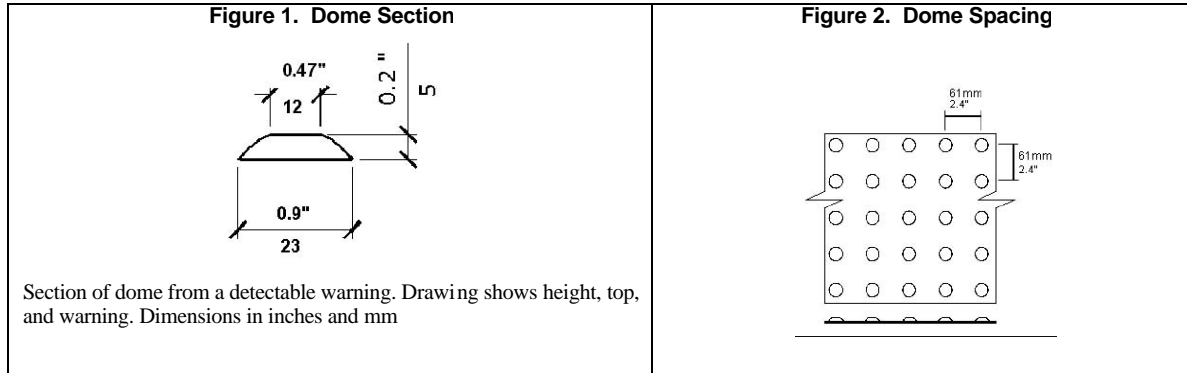
Description: This Special Provision describes furnishing and installing durable preformed detectable warning material suitable for use on pedestrian access routes, i.e. side walks, walking surfaces, curb ramps, ramps, blended transitions, and crosswalks. The material must be a resilient preformed thermoplastic product with uniformly distributed abrasives both on the surface and throughout the material to provide skid resistance. The material must be resistant to the detrimental effects of motor fuels, lubricants, hydraulic fluids etc. The material must be capable of being affixed to bituminous and/or Portland Cement Concrete pavements by the use of the heat of a propane torch. at the locations shown in the plans and in accordance with the plans or as established by Project Personnel.

Construction Requirements: All base courses and joints shall conform to the applicable subsections of Division 700 of the Standard Specifications. All curb ramp reconstruction shall conform to Special Provision 608 Reconstruct Existing Pedestrian Ramp.

Materials: The Contractor shall provide new material composed of ester modified rosins in conjunction with aggregates, pigments, and binders which have been factory produced as a finished product. The material must be impervious to degradation by motor fuels, lubricants etc. The truncated domes must be an integral part of the preformed thermoplastic material. All parts of the material must be a preformed thermoplastic material. The material shall consist of two preformed thermoplastic parts only: A domed preformed thermoplastic material and a preformed thermoplastic adhesive layer. TopMark, as manufactured by Flint Trading, Inc., P.O. Box 160, Thomasville, NC 2731-0160, Tel. 336-475-6600, or approved equal.

(1) Pigments and Color: Yellow; sufficient yellow pigment shall be used to ensure a color in compliance with FHWA's Color Specifications for Pavement Markings (FHWA Docket No. FHWA-99-6190 as revised and corrected) daytime chromaticity limits. The yellow pigment must be of an organic nature only and contain no lead chromate or other heavy metals. The color pigment must be distributed throughout the thickness of the detectable warning material.

(2) Geometry: The detectable warning material should meet the dimensions shown in Figures 1 and 2. The tolerance on each dimension is in the $\pm 2\%$ to $\pm 4\%$ range.



(3) Dimensions: The detectable warning material shall be supplied as a kit that contains a domed preformed thermoplastic surface material and a preformed thermoplastic adhesive material. The manufacturer will supply the domed material and the adhesive material in sections that measure 12 in (30 cm) in width and 24 in (61 cm) in length.

(4) Hardness: The hardness of the domed preformed thermoplastic material shall be above 80 Shore A when tested according to ASTM D 2240.

(5) Slip Resistance: The static coefficient of friction shall be 0.8 or greater when measured on the top of the truncated domes and 0.8 or greater when measured between the domes as tested per ASTM C 1028-96 (dry).

(6) Environmental Resistance: The material must be resistant to deterioration due to exposure to sunlight, water, salt or adverse weather conditions and impervious to oil and gasoline.

(7) The material shall be solvent free and contain no hazardous chemicals.

Installation:

Asphalt and Portland Cement Concrete: The adhesive material must be able to be applied to both bituminous and non-bituminous surfaces without the use of a sealer. The domed, preformed, thermoplastic material must be able to fuse with the adhesive layer to create a durable bond. The materials shall be applied using the propane torch recommended by the manufacturer. The material must be able to be applied at ambient and substrate temperatures at 45°F and rising. The products must be applied according to the manufacturer's instructions. The pavement shall be clean, dry, free of debris, and fully cured. Supplier must enclose application instructions with each box/package. A copy of installation instructions will be given to the Resident for inspection.

Protecting and Maintaining:

Protecting: Protect tiles against damage from rolling loads following installation by covering with plywood or hardwood.

Maintenance Instructions: Submit copies of manufacturer's specified maintenance practices for each type of tactile tile and accessory as required. This information shall be shared with local highway maintenance personnel.

Method of Measurement:

Detectable warnings on new curb ramps, including concrete, cast-in-place tiles, and all other work and materials necessary for fabrication, transport, and installation will not be measured and paid for separately, but shall be included in the work.

Basis of Payment:

Payment will be full compensation for all labor, materials, and equipment required to install the truncated domes including surface preparation and removal/replacement of concrete or asphalt.

Pay Item **Pay Unit**

608.26 Curb Ramp Detectable Warning Field Square Foot

SPECIAL PROVISION
SECTION 609
CURBING
(Concrete Base for Curbing)

Description This work shall consist of furnishing and placing a portland cement concrete base beneath and around both new and reset Vertical Curb Type 1, including terminal ends and curb inlets, as shown on the Special Detail.

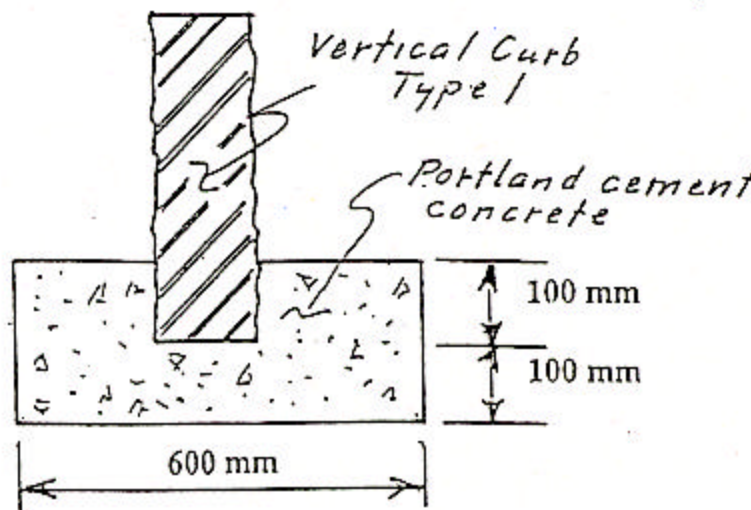
MATERIALS

Portland Cement Concrete Portland cement concrete shall consist of a 5½ bags per cubic yard mix with fine and coarse aggregate and water proportioned as approved by the Resident.

CONSTRUCTION REQUIREMENTS

General The Vertical Curb Type 1 shall be set and held firmly in place on a prepared foundation to the proper line and grade using shim block to conform to the Special Detail shown below.

Portland cement concrete shall be placed beneath and around the curbing, including curb inlets and terminal sections. Forms will not be required if suitable trenches can be provided to allow placing the concrete to the approximate dimensions shown. Backfilling shall not be performed until 24 hours after placing the concrete.



SPECIAL DETAIL
CONCRETE BASE SECTION

February 21, 2002

Method of Measurement Concrete base for curbing will be measured by the linear meter of portland cement concrete placed as shown on the Special Detail.

Basis of Payment The accepted quantity of concrete base for curbing will be paid for at the Contract unit price per linear meter, complete in place. Payment shall be full compensation for furnishing and placing portland cement concrete, excavating and backfilling as necessary, and forms as needed.

Payment will be made under:

<u>Pay Item</u>	<u>Pay Unit</u>
609.50 Concrete Base for Curbing	Meter [Foot]

SPECIAL PROVISION
SECTION 639
ENGINEERING FACILITIES
(Field Office Type B)

Add the following to Standard Specification 639.

639.04 Field Offices Make the following change

<u>Description</u>	<u>Quantity</u> Type B
Floor Area - m ² [ft ²]	20.5 [220]

SPECIAL PROVISION
SECTION 652
MAINTENANCE OF TRAFFIC
Construction Sign Sheeting Material

Maine DOT is transitioning to super high intensity fluorescent retroreflective sheeting, ASTM 4956 - Type VII, for construction signs.

Currently serviceable Type III signs will be allowed until the final transition date. New signs bought after January 19, 2005 will conform to the Type VII requirements. All signs will be Type VII after the final transition date of April 1, 2007.

During this transition period, sign packages will be of the same sheeting material (all Type III or all Type VII)

All Interstate Projects advertised after January 1, 2005 will be required to use the Type VII sheeting.

SPECIAL PROVISION
SECTION 652
MAINTENANCE OF TRAFFIC
(Traffic Control)

652.7 Method of Measurement. This entire Subsection is revised to read:
Traffic Control Supervisor, furnishing, installation, and maintenance of all traffic control devices will be measured as one **lump sum** for all work authorized and performed.

652.8 Basis of Payment. This entire Subsection is revised to read:
Traffic Control will be paid for at the contract **lump sum** price. Payment will be full compensation for the Traffic Control Supervisor, approach signs, work area signs, drums, cones, panel markers, barricades, arrow boards etc. and maintenance thereof including the setting up and taking down of lane closures as many times as necessary shall be considered part of the lump sum price.

Maintenance of signs includes: replacing devices damaged, lost, or stolen, and cleaning and moving as many times as necessary throughout the life of the contract, regardless whether the work areas or projects are geographically separated or not separated.

The Lump Sum will be payable in installments as follows: 5% of the Lump Sum once the approach signing is complete and approved, with the 95% balance to be paid as the work progresses at a rate proportional to the percentage completion of the Contract.

Failure by the contractor to follow the Contracts 652 Special Provisions and/or The Manual on Uniform Traffic Control Devices (MUTCD) and/or The Contractors own Traffic Control Plan will result in a reduction in payment, computed by reducing The Lump Sum Total by 5% per occurrence. The Departments Resident Engineer or any other representative of The Department reserves the right to suspend the work at any time and request a meeting to discuss violations and remedies. The Department shall not be held responsible for any delay in the work due to any suspension under this item.

All other requirements under the Standard Specifications Section 652 will be a part of the lump sum item.

There will be no extra payment for this pay item after the expiration of contract time.

Payment will be made under:

<u>Pay Item</u>	<u>Pay Unit</u>
652.39 Work Zone Traffic Control	Lump Sum

SPECIAL PROVISION
SECTION 652
MAINTENANCE OF TRAFFIC

Approaches Approach signing shall include the following signs as a minimum. Field conditions may warrant the use of additional signs as determined by the Resident.

Road Work Next x Miles
Road Work 500 Feet
End Road Work

Work Area At each work site, signs and channelizing devices shall be used as directed by the Resident. Signs include:

Road Work xxxx¹
One Lane Road Ahead
Flagger Sign

Other typical signs include:

Be Prepared to Stop
Low Shoulder
Bump
Pavement Ends

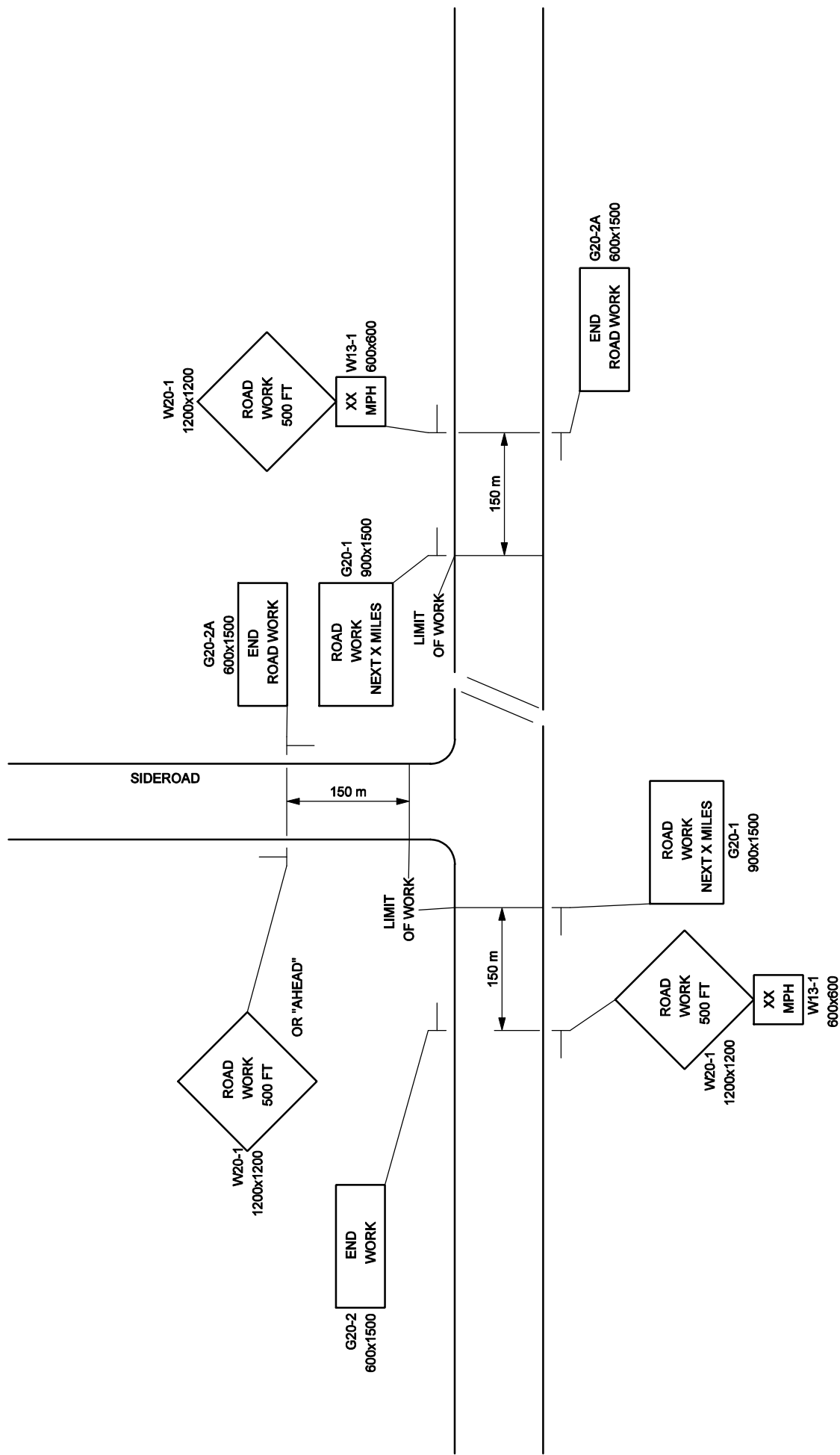
The above lists of Approach signs and Work Area signs are representative of the contract requirements. Other sign legends may be required.

The Contractor shall conduct their operations in such a manner that the roadway will not be restricted to one lane for more than 800 m [2,500 ft] at each work area. Where more than one work area restricts traffic to one lane operation, these work areas shall be separated by at least 1.6 km [1 mile] of two way operation.

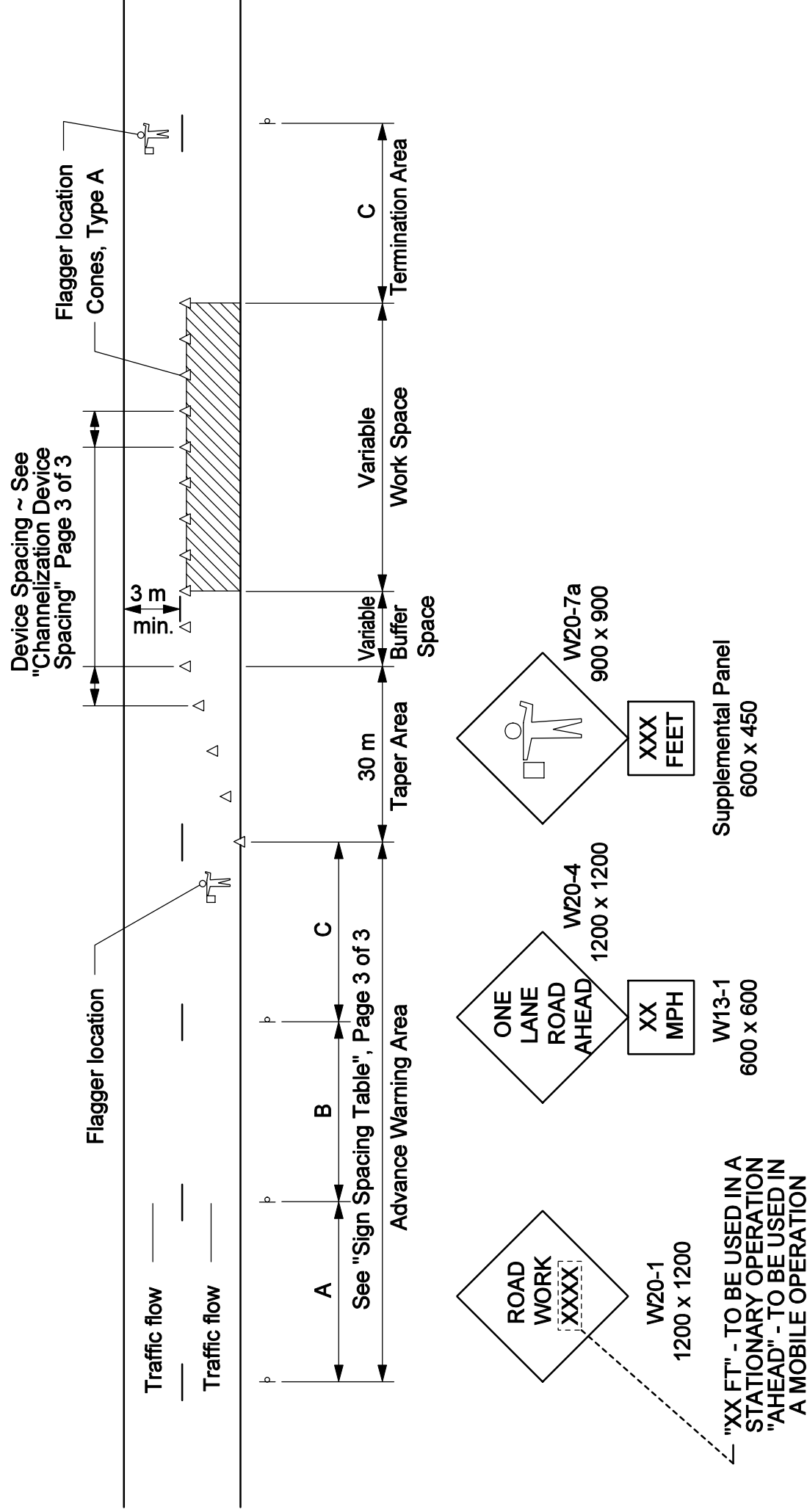
Temporary Centerline A temporary centerline shall be placed each day on all new pavement to be used by traffic. The temporary centerline, when specified of reflectorized traffic paint, shall conform to the standard marking patterns used for permanent markings.

Failure to apply a temporary centerline daily will result in suspension of paving until temporary markers are applied to all previously placed pavement.

¹ "Road Work Ahead" to be used in mobile operations and "Road Work xx ft" to be used in stationary operations as directed by the Resident.



TYPICAL -- PROJECT APPROACH SIGNING -- TWO WAY TRAFFIC



TYPICAL APPLICATION: TWO - WAY, TWO LANE ROADWAY,
CLOSING ONE LANE USING FLAGGERS

* Formulas for L are as follows:

For speed limits of 40 mph (60 km/h) or less:

$$L = \frac{WS^2}{60} \quad (L = \frac{WS^2}{155})$$

For speed limits of 45 mph (70 km/h) or greater:

$$L = WS \quad (L = \frac{WS}{1.6})$$

* Formulas for L are as follows:

A minimum of 5 channelization devices shall be used in the taper.

TYPE OF TAPER	TAPER LENGTH (L)*
Merging Taper	at least L
Shifting Taper	at least 0.5L
Shoulder Taper	at least 0.33L
One-Lane, Two-Way Traffic Taper	100 ft (30 m) maximum
Downstream Taper	100 ft (30 m) per lane

CHANNELIZATION DEVICE SPACING

The spacing of channelization devices shall not exceed a distance equal to 1.0 times the speed limit in mph when used for taper channelization, and a distance in feet of 2.0 times the speed limit in mph when used for tangent channelization.

GENERAL NOTES;

1. Final placement of signs and devices may be changed to fit field conditions as approved by the Resident.

SIGN SPACING TABLE			
Road Type	Distance Between Signs**		
	A	B	C
Urban 30 mph (50 km/h) or less	100 (30)	100 (30)	100 (30)
Urban 35 mph (55 km/h) and greater	350 (100)	350 (100)	350 (100)
Rural	500 (150)	500 (150)	500 (150)
Expressway / Urban Parkway	2,640 (800)	1,500 (450)	1000 (300)

**Distances are shown in feet (meters).

SUGGESTED BUFFER ZONE LENGTHS

Speed (mph)	Length (feet)	Speed (mph)	Length (feet)
20	115	40	325
25	155	45	360
30	200	50	425
35	250	55	495

SPECIAL PROVISION
SECTION 656
Temporary Soil Erosion and Water Pollution Control

The following is added to Section 656 regarding Project Specific Information and Requirements. All references to the Maine Department of Transportation Best Management Practices for Erosion and Sediment Control (a.k.a. Best Management Practices manual or BMP Manual) are a reference to the latest revision of said manual. The "Table of Contents" of the latest version is dated "1/19/00" (available at <http://www.state.me.us/mdot/mainhtml/bmp/bmpjan2000.pdf>.) **Procedures specified shall be according to the BMP Manual unless stated otherwise.**

Delete the last sentence of Section 656.4.4, which reads, "After Final Acceptance of the project, the Contractor must submit the log to the Department which will become the property of the Department."

Any and all references to "bark mulch" or "composted bark mix" shall be a reference to "Erosion Control Mix" in accordance with *Standard Specification, Section 619 - Mulch*.

Project Specific Information and Requirements

The following information and requirements apply specifically to this Project. The temporary soil erosion and water pollution control measures associated with this work shall be addressed in the SEWPCP.

- 1) This project is in the Penobscot watershed and is considered **SENSITIVE** in accordance with the BMP Manual. The Contractor's SEWPCP shall comply with Section II.B., Guidelines for Sensitive Water bodies in the BMP Manual.
- 2) Newly disturbed earth shall be mulched by the end of each workday. Mulch shall be maintained on a daily basis.
- 3) The SEWPCP shall describe the location and method of temporary erosion and sediment control for existing and proposed catch basins, outlet areas and culvert inlets and outlets.
- 4) Dust control items other than those under *Standard Specification, Section 637 – Dust Control*, if applicable, shall be included in the plan.
- 5) Permanent slope stabilization measures shall be applied within one week of the last soil disturbance.

SPECIAL PROVISION

SECTION 656

Temporary Soil Erosion and Water Pollution Control

6) Permanent seeding shall be done in accordance with *Standard Specification, Section 618 - Seeding* unless the Contract states otherwise.

7) Culvert inlet and outlet protection shall be installed within 48 hours of culvert installation, or prior to a storm event, whichever is sooner.

8) All disturbed ditches shall be stabilized by the end of each workday. Stabilization shall be maintained on a daily basis.

9) Erosion control blanket shall be installed in the bottoms of all ditches except where a stone lining is planned. Seed shall be applied prior to the placement of the blanket.

10) If check dams are used, they shall be constructed of stone in accordance with BMP Manual, Section 9.

11) If water is flowing within the drainage system, the water shall be diverted to a stable area or conduit and work shall be conducted in the dry. The Contractor's plan shall address when and where the diversions will be necessary.

12) Demolition debris (including debris from wearing surface removal, saw cut slurry, dust, etc.) shall be contained and shall not be allowed to discharge to any resource. All demolition debris shall be disposed of in accordance with *Standard Specifications, Section 202.03, Removing Existing Superstructure, Structural Concrete, Railings, Curbs, Sidewalks and Bridges*. Containment and disposal of demolition debris shall be addressed in the Contractor's SEWPCP.

13) CLEARING LIMIT LINES SHALL BE MINIMIZED. Clearing shall be minimized as shown on the design plans.

14) Class A and AA Waters - General in-stream work other than slip/ invert lining for class A and AA waters

Stream flow shall be maintained at all times.

SPECIAL PROVISION
SECTION 656
Temporary Soil Erosion and Water Pollution Control

Grout from the post-tensioning socket sealing operation and fresh concrete shall not be allowed to contact the stream. Clean out of concrete delivery trucks and the washing of tools shall be addressed in the SEWPCP.

The SEWPCP shall describe the containment method for removal of the existing abutments, including installation of cofferdams and dewatering procedures.

A cofferdam sedimentation basin is required if cofferdams are used. The basin shall be located in an upland area where the water can settle and seep into the ground or be released slowly to the resource in a manner that will not cause erosion. The location of such a cofferdam sedimentation basin shall be addressed in the SEWPCP.

OR

If a cofferdam sedimentation basin is used, it shall be located in an upland area where the water can settle and sink into the ground or be released slowly to the resource in a manner that will not cause erosion. The location of such a cofferdam sedimentation basin shall be addressed in the SEWPCP.

Prior to release to a natural resource, any impounded water that has been in contact with concrete placed during construction must have a pH between 6.0 and 8.5, must be within one pH unit of the background pH level of the resource and shall have a turbidity no greater than the receiving resource. This requirement is applicable to concrete that is placed or spilled (including leakage from forms) as well as indirect contact via tools or equipment. Water not meeting release criteria shall be addressed in the SEWPCP. Discharging impounded water to the stream must take place in a manner that does not cause erosion or disturb the stream bottom. **The rate of discharge must be less than 20% of the flow rate of the stream.**

The Contractor shall be responsible for monitoring pH with a calibrated meter accurate to 0.1 units. A record of pH measurements shall be kept in the Environmental Coordinator's log (*Section 656.4.4.*)

SPECIAL PROVISION

SECTION 656

Temporary Soil Erosion and Water Pollution Control

The following is added to Section 656 regarding Project Specific Information and Requirements. All references to the Maine Department of Transportation Best Management Practices for Erosion and Sediment Control (a.k.a. Best Management Practices manual or BMP Manual) are a reference to the latest revision of said manual. The "Table of Contents" of the latest version is dated "1/19/00" (available at <http://www.state.me.us/mdot/mainhtml/bmp/bmpjan2000.pdf>.)

Procedures specified shall be according to the BMP Manual unless stated otherwise.

Any and all references to "bark mulch" or "composted bark mix" shall be a reference to "Erosion Control Mix" in accordance with *Standard Specification, Section 619 - Mulch*.

Project Specific Information and Requirements

The following information and requirements apply specifically to this Project. The temporary soil erosion and water pollution control measures associated with this work shall be addressed in the SEWPCP.

1. Newly disturbed earth shall be mulched by the end of each workday. Mulch shall be maintained on a daily basis.
2. Permanent slope stabilization measures shall be applied within one week of the last soil disturbance.
3. Permanent seeding shall be done in accordance with *Standard Specification, Section 618 - Seeding* unless the Contract states otherwise.
4. After November 1 the Contractor shall use winter stabilization methods, such as Erosion Control Mix as specified in *Standard Specification, Section 619 - Mulch*. If required, spring procedures for permanent stabilization shall also be described in the plan. Use of this product for over-winter temporary erosion control will be incidental to the contract and be paid for as part of Pay Item 656.75.
5. Dust control items other than those under *Standard Specification, Section 637 – Dust Control*, if applicable, shall be included in the plan.

SPECIAL PROVISION
SECTION 656

Temporary Soil Erosion and Water Pollution Control

The following is added to Section 656 regarding Project Specific Information and Requirements. All references to the Maine Department of Transportation Best Management Practices for Erosion and Sediment Control (a.k.a. Best Management Practices manual or BMP Manual) are a reference to the latest revision of said manual. The "Table of Contents" of the latest version is dated "1/19/00" (available at <http://www.state.me.us/mdot/mainhtml/bmp/bmpjan2000.pdf>.) **Procedures specified shall be according to the BMP Manual unless stated otherwise.**

Any and all references to "bark mulch" or "composted bark mix" shall be a reference to "Erosion Control Mix" in accordance with *Standard Specification, Section 619 - Mulch*.

Project Specific Information and Requirements

The following information and requirements apply specifically to this Project. The temporary soil erosion and water pollution control measures associated with this work shall be addressed in the SEWPCP.

1. Newly disturbed earth shall be mulched by the end of each workday. Mulch shall be maintained on a daily basis.
2. The SEWPCP shall describe the location and method of temporary erosion and sediment control for existing and proposed catch basins, outlet areas and culvert inlets and outlets.
3. Permanent slope stabilization measures shall be applied within one week of the last soil disturbance.
4. Permanent seeding shall be done in accordance with *Standard Specification, Section 618 - Seeding* unless the Contract states otherwise.
5. All disturbed ditches shall be stabilized by the end of each workday. Stabilization shall be maintained on a daily basis.
6. Erosion control blanket shall be installed in the bottoms of all ditches except where a stone lining is planned. Seed shall be applied prior to the placement of the blanket.
7. If check dams are used, they shall be constructed of stone in accordance with BMP Manual, Section 9. *Hay Bale Temporary Check Dams* **are not allowed**. Delete all reference to them in Section 9.
8. Dust control items other than those under *Standard Specification, Section 637 – Dust Control*, if applicable, shall be included in the plan.
9. After November 1 the Contractor shall use winter stabilization methods, such as Erosion Control Mix as specified in *Standard Specification, Section 619 - Mulch*. If required, spring procedures for permanent stabilization shall also be described in the plan. Use of this product for over-winter temporary erosion control will be incidental to the contract and be paid for as part of Pay Item 656.75.

**SPECIAL PROVISION
SECTION 801
SANITARY SEWER**

Description This work shall consist of constructing sewer lines, in accordance with these specifications and in reasonably close conformity with the lines and grades shown on the plans or established.

Materials Meet Sections:

PVC Pipes & Fittings (4 in to 15 in)	ASTM D3034 (SDR 35)
PVC Pipes & Fittings (18 in to 24 in)	ASTM F679 (SDR 35)

Construction Requirements

Excavation Trenches shall be excavated in accordance with the requirements of Section 206 - Structural Excavation and wide enough to allow joining the pipe and compacting the bedding and backfill material under and around the pipe. Unless otherwise designated, trench walls shall be as nearly vertical as possible and the trench width no greater than necessary for installation of the pipe.

Bedding The sewer line shall be bedded in accordance with the details on the Contract Drawings.

Laying The Contractor shall not install nor backfill sewer pipes between December 15th and April 1st without written permission. Installing shall begin at the downhill end of the sewer line. Bell or groove ends shall be placed facing uphill.

Joining The pipe ends shall be thoroughly cleaned before the joint is made. Joints shall be made in accordance with the manufacturer's recommended procedures.

Backfilling After the sewer pipe is installed, it will be inspected before any backfill material is placed. All sewer pipes found to be out of alignment, unduly settled or damaged to the extent that full performance is impaired, shall be taken up and re-laid or replaced.

Trenches shall be backfilled in accordance with Section 206.03 and the details on the Contract Drawings. The Contractor shall be aware that successful backfilling consists of bringing the trench back to the elevations indicated on the details, including replacing the binder pavement course as indicated on the details. Backfilling the trench, including binder course pavement, shall be considered incidental to the pay item.

Compaction Use methods which produce the required degree of compaction throughout the entire depth of material placed without damage to new or existing facilities and which are approved by the ENGINEER. Adjust moisture content of soil as required. Remove and replace material which is too wet to compact to required density. Compact each horizontal layer of till and slopes as work progresses.

Degree of Compaction: Compact to the following minimum densities:

<u>FILL AND BACKFILL LOCATION</u>	<u>DENSITY</u>
Under structure foundations	95% of max.
2 feet under pavement and gravel	

roads	95% of max.
Trenches through unpaved areas	90% of max
Pipe Bedding	92% of max

Maximum density: ASTM D1557, modified.

Field density tests: ASTM D1556 (sand cone) or ASTM D2167 (rubber balloon), or ASTM D2922 (nuclear methods).

Compaction Testing Determine actual in place densities using field tests as directed by the ENGINEER. Tests shall be made by an independent laboratory. All tests will be paid by CONTRACTOR.

Perform additional work to obtain proper compaction if in-place densities do not meet the specified densities. Retesting may be required by the ENGINEER. ENGINEER to specify locations for tests.

The ENGINEER shall be copied on all test results directly from the independent laboratory.

Minimum Number of Compaction Tests:

1. Pipe Trenches: At least one passing field density test for every 300 l.f. of trench per compacted fill layer.
2. Other Areas: In each compacted fill layer, make a minimum of one passing field density test for every 2000 sq. ft.

Pipe Testing Deflection tests shall not be performed until at least 30 days after completion of installation and compaction of backfill. The pipe shall be cleaned and inspected for offsets and obstructions before testing.

For all pipes 24 inches and smaller, a mandrel shall be pulled through the pipe by hand to ensure the maximum allowable deflections have not been exceeded. The mandrel shall be certified by the Department prior to use. If the mandrel fails to pass through the pipe, the pipe will be deemed overdeflected.

Any overdeflected pipe shall be uncovered and if not damaged as determined by the Department shall be allowed for reinstallation. Damaged pipe shall not be reinstalled and shall be removed from the work site.

The mandrel shall be a rigid non-adjustable, odd numbered-leg (9 legs minimum) mandrel having an effective length not less than its nominal diameter and having a minimum diameter at any point along the full length as follows:

Nominal Pipe Size (inches)	Minimum Mandrel Diameter (inches)
4	3.74
6	5.63
8	7.48
12	11.23

The completed installed sewer line will be pressure tested using normal approved industry standards.

Method of Measurement Sanitary sewer pipe will be measured by the length in feet along the invert including fittings, laid as directed, complete in place, and accepted. Pipe laid in excess of the authorized length will not be included. Pipe installed inside a manhole will not be measured for payment.

Basis of Payment The accepted quantities of Sanitary sewer pipe will be paid for at the contract unit price per linear foot, for the types and sizes specified, complete in place and shall be full compensation for all labor, materials, equipment, excavation, dewatering, sheeting and bracing, bedding, furnishing and installing pipe, removal and disposal of existing pipes, connecting to manholes, backfill, compacting, cleaning, testing, maintaining existing flows, and all other incidental required as may be necessary including furnishing and installing all fittings required. Connections to existing sewers, stormdrains, house connections, catchbasins, or manhole shall be incidental to these items. Tees, wyes, saddles and other connectors for house connections shall be incidental to these items.

Repairing or replacing damage to any public or private utility encountered including underground electrical, telephone, cable TV, water, drainage, gas mains, sanitary services and pipes shall be at the Contractors expense regardless if pipes are shown or not shown on the plans.

No payment will be made for pipe ordered without written approval of the Resident when such pipe is not required to be installed for completion of the work.

Payment will be made under:

<u>Pay Item</u>	<u>Pay Unit</u>
801.14 4 in PVC Sanitary Sewer (SDR-35)	Linear Foot
801.17 8 in PVC Sanitary Sewer (SDR-35)	Linear Foot
801.175 10 in PVC Sanitary Sewer (SDR-35)	Linear Foot
801.18 12 in PVC Sanitary Sewer (SDR-35)	Linear Foot

SPECIAL PROVISION
SECTION 812
SEWER MANHOLE

Description This work shall consist of the installation and adjustment of manholes as indicated in the Bid Book, Plans, or as directed by the Resident.

Sewer Manhole shall consist of removing an existing manhole and replacing with a new manhole in accordance with Section 604 - Manholes, Inlets, and Catch Basins.

Manhole frame and covers shall be equal to Pamrex type, provided by EJ Prescott and further identified as Product Number 62113. Cover shall contain large, raised text indicating service type of manhole (i.e. SEWER or STORM). Manhole frames and covers shall be incidental to Precast Sewer Manhole bid item.

Adjust Sewer Manhole to Grade shall consist of adjusting a manhole to the required final grade, including any lowering and any other adjustments that may be necessary prior to setting the final grade and in accordance with this Section and Section 604 - Manholes, Inlets, and Catch Basins.

Furnishing, installing, and testing pre-cast concrete manholes as specified and shown on the drawings shall be paid for by the each.

The unit prices shall be full compensation for all labor, materials, and equipment required to satisfactorily complete the manholes as shown on the plans, indicated in the details, and specified in the Contract Documents. Satisfactory completion shall include excavation, sheeting and bracing, furnishing and installing pre-cast sections and frames and covers, providing the specified bedding, including subbase gravel (as required), installing fillet and brickwork, damp proofing, approved granular backfill, pavement installation, and all other operations as may be necessary.

Connecting manholes/catchbasins to new or existing sewers and testing of sanitary manholes shall be incidental to the item.

Compaction Use methods which produce the required degree of compaction throughout the entire depth of material placed without damage to new or existing facilities and which are approved by the ENGINEER. Adjust moisture content of soil as required. Remove and replace material which is too wet to compact to required density. Compact each horizontal layer of till and slopes as work progresses.

Degree of Compaction: Compact to the following minimum densities:

<u>FILL AND BACKFILL LOCATION</u>	<u>DENSITY</u>
Under structure foundations	95% of max.
2 feet under pavement and gravel roads	95% of max.
Trenches through unpaved areas	90% of max
Pipe Bedding	92% of max

Maximum density: ASTM D1557, modified.

Field density tests: ASTM D1556 (sand cone) or ASTM D2167 (rubber balloon), or ASTM D2922 (nuclear methods).

Compaction Testing Determine actual in place densities using field tests as directed by the ENGINEER. Tests shall be made by an independent laboratory. All tests will be paid by CONTRACTOR.

Perform additional work to obtain proper compaction if in-place densities do not meet the specified densities. Retesting may be required by the ENGINEER. ENGINEER to specify locations for tests.

The ENGINEER shall be copied on all test results directly from the independent laboratory.

Minimum Number of Compaction Tests:

1. Pipe Trenches: At least one passing field density test for every 300 l.f. of trench per compacted fill layer.
2. Other Areas: In each compacted fill layer, make a minimum of one passing field density test for every 2000 sq. ft.

Pay Item

Pay Unit

803.16 Precast Sewer Manhole – 4' diameter
812.162 Adjust Sewer Manhole to Grade
812.164 Rebuild Sewer Manhole

Each
Each
Each

**SPECIAL PROVISION
SECTION 823
GATE VALVE BOXES**

Description This work shall consist of the adjustment or installation of gate valve boxes as indicated in the Bid Book, Plans, or as directed by the Resident.

Gate Valve Box, Adjust to Grade shall consist of adjusting a gate valve box to the required final grade, including any lowering and any other adjustments that may be necessary prior to setting the final grade.

Gate Valve Box, Install Only shall consist of removing an existing gate valve box, installing a replacement gate valve box, and adjusting the replacement gate valve box as specified above.

Materials The municipality or utility company owning or operating the existing water main system will provide all replacement gate valve boxes necessary for the Gate Valve Box, Install Only item. Any gate valve boxes damaged by improper construction methods or handling by the Contractor, as determined by the Department, shall be replaced at the Contractor's expense.

Method of Measurement Gate Valve Box, Adjust to Grade and Gate Valve Box, Install Only will be measured by the unit each, complete and in place.

Basis of Payment Payment for Gate Valve Box, Adjust to Grade shall be full compensation for all equipment, labor, and incidental materials necessary to adjust a gate valve box as specified above.

Payment for Gate Valve Box, Install Only shall be full compensation for all equipment, labor, and incidental materials necessary to replace and adjust a gate valve box as specified above.

<u>Pay Item</u>	<u>Pay Unit</u>
823.011 Gate Valve Box, Install Only	Each
823.332 Gate Valve Box, Adjust to Grade	Each

Permits & Cultural Resources Unit

PIN #: 11398.00

Location: Brewer

Permit Member: Laurie Rowe

Photographs ☐

Database/Projex ☒

Package to ENV Coordinator: 4/14/04

☒ **Section 106 and Tribal Consultation**

Architectural Resources

MOA ☐

Applicable ☒

Approved ☒

Archeological Resources

MOA ☐

Applicable ☒

Approved ☒

Tribal Consultation

N/A ☒

Applicable ☐

Approved ☐

☒ **4(f) and 6(f)**

Section 4(f)

N/A ☒

Applicable ☐

Approved ☐

LAWCON 6(f)

N/A ☒

Applicable ☐

Approved ☐

☒ **FEMA**

N/A ☒

Applicable ☐

Approved ☐

☒ **Maine Department of Environmental Protection (MDEP) Site Location of Development**

N/A ☒

Applicable ☐

Approved ☐

☒ **Local Zoning, Title 30-A, Section 4325-6.**

Is the project something other than the highway and bridge system, such as a maintenance lot, building/parking facility? Yes

☐ No ☒. If no, the project is exempt.

If yes, continue. Does the town in which the project is located have a comprehensive plan consistent with the Growth Management Program? Yes ☐ No ☐. If no, the project is exempt.

If yes, local zoning ordinances and/or permits are needed.

Approved ☐

☒ **Maine Department of Inland Fisheries and Wildlife (MDIFW) Essential Habitat**

Eagle Nest

N/A ☐

Applicable ☒

Approved ☒

Piping Plover

N/A ☒

Applicable ☐

Approved ☐

Roseate Tern

N/A ☒

Applicable ☐

Approved ☐

Work with in Essential Habitat area is limited to August 15 to October 31

☒ **United States Fish and Wildlife Service (USFWS), Migratory Bird Act**

N/A ☒

Applicable ☐

☒ **Maine Department of Conservation/ Public Lands, Submerged Land Lease**

N/A ☒

Applicable ☐

☒ **Land Use Regulation Commission (LURC)** ☒ Not Applicable

No permit

☐

Notice

☐

Approved ☐

Permit

☐

Approved ☐

☒ **Maine Department of Environmental Protection (MDEP), Natural Resource Protection Act**

No permit required ☐

Exempt ☐

(Must use erosion and sediment control and not block fish passage.)

PBR ☒

Approved ☒

Tier 1 ☐

Approved ☐

Tier 2 ☐

Approved ☐

Tier 3 ☐

Approved ☐

☒ **Army Corps of Engineers (ACOE), Section 10 of the Rivers and Harbors Act and Section 404 of the Clean Water Act.**

No permit required ☐

Category 1-NR ☒

Approved ☒

Category 2 ☐

Approved ☐

Category 3 ☐

Approved ☐

☒ **IN-WATER TIMING RESTRICTIONS: 105 Special Provision** ☒ n/a ☐

Dates instream work is allowed: 7/15 to 10/1

☒ **Special Provision 656, Erosion Control Plan**

Boxes marked in red indicate items that are attached and need to be placed in the contract by the Project Manager.

DEPARTMENT OF ENVIRONMENTAL PROTECTION (DEP)
PERMIT BY RULE NOTIFICATION FORM
(For use with DEP Regulation, Chapter 305)

■ MDOT PIN: 11398.00

Name of Applicant: State of Maine Department of Transportation
Mailing Address: 16 Station State House
Daytime Telephone #: (207)-624-3105

Town/City: Augusta
Name of Wetland, Water Body or Stream: Penobscot River

Name of Contact: David Gardner
State: Me. Zip Code: 04330-0016

Detailed Directions to Site: Project is on Rte 9 beginning 0.08 of a mile easterly of State Street and extending easterly 3.72 miles to the Eddington town line.

Town/City: Brewer

Map #: N/A

Lot #: N/A

County: Penobscot

Description of Project: Highway overlay involving culvert, guardrail, slope and ditch maintenance and repairs. The project will be performed in accordance with erosion control measures conforming with the latest versions of the *State of Maine Department of Transportation Standard Specifications for Highways and Bridges* and the *Department of Transportation's Best Management Practices for Erosion and Sediment Control*.

Part of a larger project? ☐ Yes ☒ No

(CHECK ONE) This project... ☒ does ☐ does not ...involve work below mean low water.

I am filing notice of my intent to carry out work which meets the requirements for Permit By Rule (PBR) under DEP Regulation, Chapter 305. I have a copy of PBR Sections checked below. I have read and will comply with all of the standards.

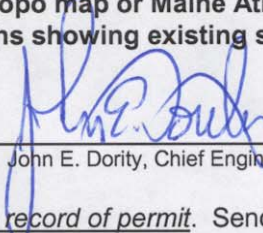
- | | | |
|---|---|---|
| <input type="checkbox"/> Sec. (2) Soil Disturbance | <input type="checkbox"/> Sec. (8) Shoreline stabilization | <input type="checkbox"/> Sec. (14) Piers, Wharves & Pilings |
| <input type="checkbox"/> Sec. (3) Intake Pipes | <input type="checkbox"/> Sec. (9) Utility Crossing | <input type="checkbox"/> Sec. (15) Public Boat Ramps |
| <input type="checkbox"/> Sec. (4) Replacement of Structures | <input type="checkbox"/> Sec. (10) Stream Crossing | <input type="checkbox"/> Sec. (16) Coastal Sand Dune Projects |
| <input type="checkbox"/> Sec. (5) REPEALED | <input checked="" type="checkbox"/> Sec. (11) State Transport. Facilities | <input type="checkbox"/> Sec. (17) Transfers/Permit Extension |
| <input type="checkbox"/> Sec. (6) Movement of Rocks or Vegetation | <input type="checkbox"/> Sec. (12) Restoration of Natural Areas | <input type="checkbox"/> Sec. (18) Maintenance Dredging |
| <input type="checkbox"/> Sec. (7) Outfall Pipes | <input type="checkbox"/> Sec. (13) F&W Creation/Enhance/Water Quality Improvement | |

I authorize staff of the Departments of Environmental Protection, Inland Fisheries & Wildlife, and Marine Resources to access the project site for the purpose of determining compliance with the rules. I also understand that **this permit is not valid until approved by the Department or 14 days after receipt by the Department, whichever is less.**

I have attached all of the following required submittals. **NOTIFICATION FORMS CANNOT BE ACCEPTED WITHOUT THE NECESSARY ATTACHMENTS:**

- A \$50 (non-refundable) payment shall be done by internal billing.
- **Attach** a U.S.G.S. topo map or Maine Atlas & Gazetteer map with the project site clearly marked.
- ☐ **Attach** photographs showing existing site conditions (unless not required under standards).

Signature of Applicant:


John E. Dority, Chief Engineer

Date:

10/17/03

Keep the bottom copy as a record of permit. Send the form with attachments via certified mail to the Maine Dept. of Environmental Protection **at the appropriate regional office listed below.** The DEP will send a copy to the Town Office as evidence of the DEP's receipt of notification. No further authorization by DEP will be issued after receipt of notice. Permits are valid for two years. **Work carried out in violation of any standard is subject to enforcement action.**

AUGUSTA DEP STATE HOUSE STATION 17 AUGUSTA, ME 04333-0017 (207)287-2111 PORTLAND DEP 312
CANCO ROAD PORTLAND, ME 04103 (207)822-6300 BANGOR DEP 106 HOGAN ROAD BANGOR, ME
04401 (207)941-4570 PRESQUE ISLE DEP 1235 CENTRAL DRIVE PRESQUE ISLE, ME 04769 (207)764-0477

OFFICE USE ONLY
PBR # FP

Ck.#

Date

Staff

Acc. Date

Staff

Def. Date

After Photos



JOHN ELIAS BALDACCI
GOVERNOR

STATE OF MAINE
DEPARTMENT OF
INLAND FISHERIES AND WILDLIFE
284 STATE STREET
41 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0041

ROLAND D. MARTIN
COMMISSIONER

February 15, 2005

John E. Dority, Chief Engineer
Maine Department of Transportation
16 State House Station
Augusta, ME 04333

Ref: Essential Habitat Evaluation; BE 199A, BE199B, Brewer
MDOT PIN 11398.00

Dear Mr. Dority,

This Department has received a request for renewal of the 3-23-04 letter of permission granted to the Maine Department of Transportation (MDOT) in response to a Request for Project Evaluation for permission to undertake a Level II highway resurfacing project on Route 9 in Brewer, Penobscot County, including a section within Essential Habitats BE 199A and BE 199B, as designated by Maine Statute 12 MRSA, Section 7754.2. This project will involve recontouring the road surface elevation for sight distance improvement, guardrail, underdrain and ditching updates, grinding existing pavement, and repaving. Contracted utility work will be subject to timing constraints as part of the complete project. Project construction within the Essential Habitat was proposed to start after August 15, and to be completed by October 31, 2004. The project was not undertaken in 2004, and is now proposed for 2005.

Upon re-review of the information provided by the applicant, my staff has recommended, and I agree, that the proposed activities will not significantly alter this Essential Habitat or violate the protection guidelines adopted by this Department (Chapter 8.03 A.4) in conformance with Maine Statute 12 MRSA, Section 7754.3. Therefore this letter constitutes our approval for you to undertake the proposed activity for the work specifically described in the original request.

This letter also serves as concurrent fulfillment of Maine Department of Environmental Protection requirements for filing a Request for Project Evaluation with MDIFW before issuing permits for activities within Essential Habitats, and authorizes the Maine Department of Environmental Protection to issue any Permit(s) under the Natural Resources Protection Act to the MDOT as may be necessary for the project as specifically described in the MDOT request.

Sincerely,

Kenneth D. Elowe, Director
Bureau of Resource Management

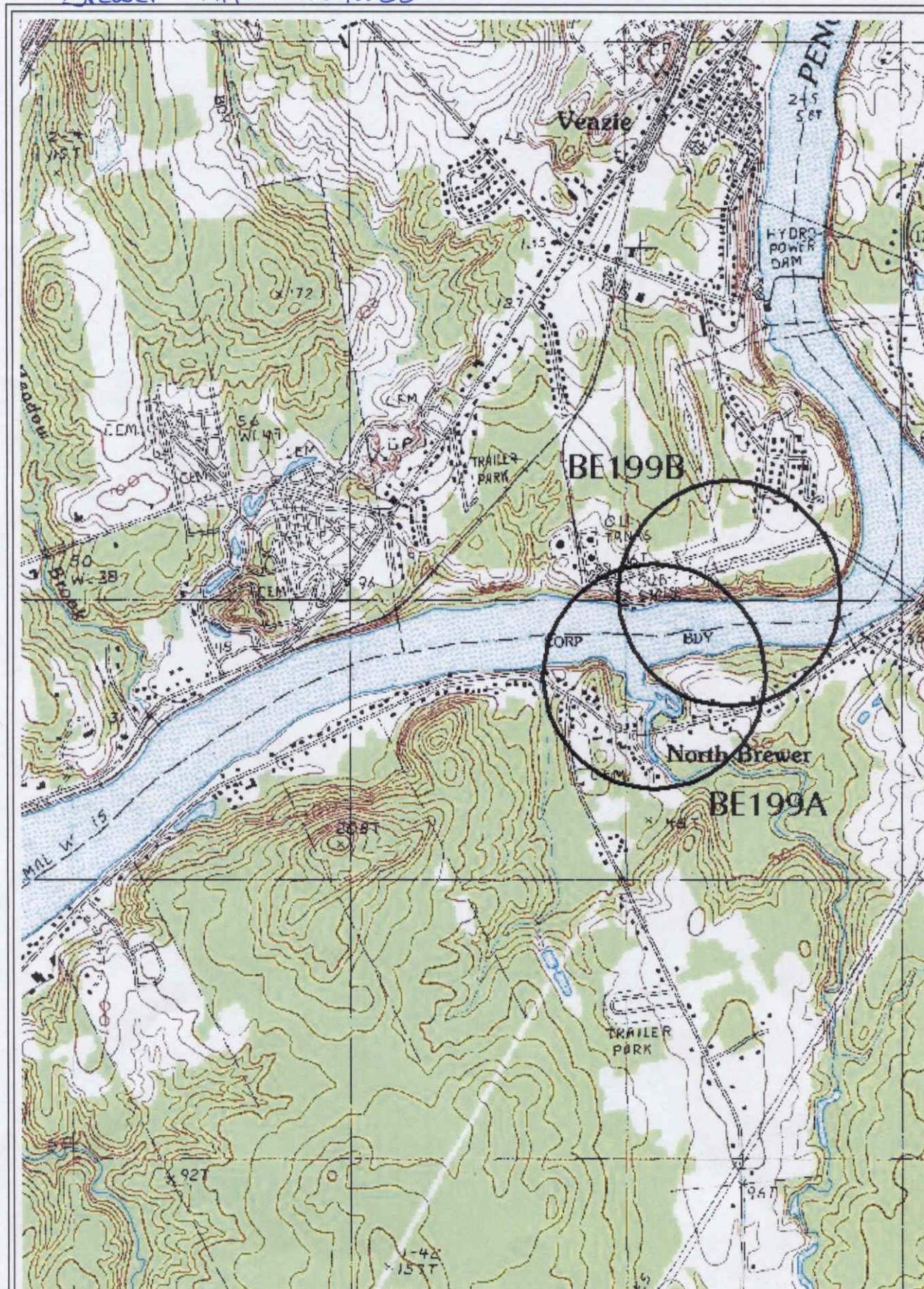
cc: David Gardner, Supervisor, Permits & Cultural Resources, MDOT
Thomas Schaeffer, MDIFW Regional Headquarters
Charles Todd, MDIFW Resource Assessment



PRINTED ON RECYCLED PAPER

FISH AND WILDLIFE ON THE WEB: www.mefishwildlife.com
EMAIL ADDRESS - ifw.webmaster@maine.gov

Brewer Pin # 11398.00



Permits & Cultural Resources Unit

Summary Sheet

PIN #: 11575.00 Town: Bangor
 Permit Member: Laurie Rowe
 ENV Coordinator and Date submitted to ENV Coordinator: 3/4/05
 Database/Projex ☒

☒ Section 106 and Tribal Consultation

Architectural Resources	PA <input type="checkbox"/> Applicable <input checked="" type="checkbox"/>	Approved <input checked="" type="checkbox"/>
Archeological Resources	PA <input type="checkbox"/> Applicable <input checked="" type="checkbox"/>	Approved <input checked="" type="checkbox"/>
Tribal Consultation	Tribal Letters Sent <input type="checkbox"/>	Approved <input type="checkbox"/>

☒ 4(f) and 6(f)

<u>Section 4(f)</u>	Are there Right of Way Takes or Easements on Public Park Property	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	Are there Right of Way Takes or Easements on Public Recreational Property	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	Are there Right of Way Takes or Easements on Public Wildlife/ Waterfowl Refuge Property	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	Are there Right of Way Takes or Easements on Historic Eligible or Listed Property	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	Are there Right of Way Takes or Easements on Property within a Historic District	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	Has MHPC Determined an Adverse Effect	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	Is a Programmatic or Full 4(f) Document Required	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	FHWA Concurrence/Approval <input type="checkbox"/>	

LAWCON 6(f) N/A ☒ Applicable ☐ Approved ☐

☒ **FEMA** GIS Floodplains Checked ☒ N/A ☒ Applicable ☐

☒ Maine Department of Inland Fisheries and Wildlife (MDIFW) Essential Habitat

GIS Essential Habitats Checked <input checked="" type="checkbox"/>		
Eagle Nest	N/A <input checked="" type="checkbox"/> Applicable <input type="checkbox"/>	Approved <input type="checkbox"/>
Piping Plover	N/A <input checked="" type="checkbox"/> Applicable <input type="checkbox"/>	Approved <input type="checkbox"/>
Roseate Tern	N/A <input checked="" type="checkbox"/> Applicable <input type="checkbox"/>	Approved <input type="checkbox"/>

☒ **Maine Department of Conservation/ Public Lands, Submerged Land Lease** N/A ☒ Applicable ☐

☒ Land Use Regulation Commission (LURC) ☒ Not Applicable

No permit	<input type="checkbox"/>	
Notice	<input type="checkbox"/>	Approved <input type="checkbox"/>
Permit	<input type="checkbox"/>	Approved <input type="checkbox"/>

☒ Maine Department of Environmental Protection (MDEP) Site Location of Development

N/A ☒ Applicable ☐ Approved ☐

☒ Maine Department of Environmental Protection (MDEP), Natural Resource Protection Act

No permit required <input checked="" type="checkbox"/>		
Exempt <input type="checkbox"/>	(Must use erosion and sediment control and not block fish passage.)	
PBR <input type="checkbox"/>		Approved <input type="checkbox"/>
Tier 1 <input type="checkbox"/>		Approved <input type="checkbox"/>
Tier 2 <input type="checkbox"/>		Approved <input type="checkbox"/>
Individual <input type="checkbox"/>		Approved <input type="checkbox"/>

☒ Army Corps of Engineers (ACOE), Section 10 of the Rivers and Harbors Act and Section 404 of the Clean Water Act.

No permit required <input checked="" type="checkbox"/>	
Category 1-NR <input type="checkbox"/>	Approved <input type="checkbox"/>
Category 2 <input type="checkbox"/>	Approved <input type="checkbox"/>
Category 3 <input type="checkbox"/>	Approved <input type="checkbox"/>

☒ IN-STREAM TIMING RESTRICTIONS: 105 Special Provision ☐ n/a ☒

Dates instream work is allowed: No Instream work

☒ Special Provision 656, Erosion Control Plan

*Boxes marked in red indicate items that are attached and need to be placed in the contract by the Project Manager.

Permits & Cultural Resources Unit

Summary Sheet

PIN #: 11576.00 Town: Brewer
 Permit Member: **Laurie Rowe**
 ENV Coordinator and Date submitted to ENV Coordinator: 3/9/05
 Database/Projex ☒

☒ Section 106 and Tribal Consultation

Architectural Resources	PA <input type="checkbox"/> Applicable <input checked="" type="checkbox"/>	Approved <input checked="" type="checkbox"/>
Archeological Resources	PA <input type="checkbox"/> Applicable <input checked="" type="checkbox"/>	Approved <input checked="" type="checkbox"/>
Tribal Consultation	Tribal Letters Sent <input type="checkbox"/>	Approved <input type="checkbox"/>

☒ 4(f) and 6(f)

<u>Section 4(f)</u>	Are there Right of Way Takes or Easements on Public Park Property	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
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	Are there Right of Way Takes or Easements on Property within a Historic District	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	Has MHPC Determined an Adverse Effect	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	Is a Programmatic or Full 4(f) Document Required	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	FHWA Concurrence/Approval <input type="checkbox"/>	

LAWCON 6(f) N/A ☒ Applicable ☐ Approved ☐

☒ **FEMA** GIS Floodplains Checked ☒ N/A ☒ Applicable ☐

☒ Maine Department of Inland Fisheries and Wildlife (MDIFW) Essential Habitat

GIS Essential Habitats Checked <input checked="" type="checkbox"/>		
Eagle Nest	N/A <input checked="" type="checkbox"/> Applicable <input type="checkbox"/>	Approved <input type="checkbox"/>
Piping Plover	N/A <input checked="" type="checkbox"/> Applicable <input type="checkbox"/>	Approved <input type="checkbox"/>
Roseate Tern	N/A <input checked="" type="checkbox"/> Applicable <input type="checkbox"/>	Approved <input type="checkbox"/>

☒ **Maine Department of Conservation/ Public Lands, Submerged Land Lease** N/A ☒ Applicable ☐

☒ Land Use Regulation Commission (LURC) ☒ Not Applicable

No permit	<input type="checkbox"/>	
Notice	<input type="checkbox"/>	Approved <input type="checkbox"/>
Permit	<input type="checkbox"/>	Approved <input type="checkbox"/>

☒ Maine Department of Environmental Protection (MDEP) Site Location of Development

N/A ☒ Applicable ☐ Approved ☐

☒ Maine Department of Environmental Protection (MDEP), Natural Resource Protection Act

No permit required <input type="checkbox"/>		
Exempt <input type="checkbox"/>	(Must use erosion and sediment control and not block fish passage.)	
PBR <input checked="" type="checkbox"/>		Approved <input checked="" type="checkbox"/>
Tier 1 <input type="checkbox"/>		Approved <input type="checkbox"/>
Tier 2 <input type="checkbox"/>		Approved <input type="checkbox"/>
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Category 1-NR <input type="checkbox"/>	Approved <input type="checkbox"/>
Category 2 <input type="checkbox"/>	Approved <input type="checkbox"/>
Category 3 <input type="checkbox"/>	Approved <input type="checkbox"/>

☒ IN-STREAM TIMING RESTRICTIONS: 105 Special Provision ☐ n/a ☒

Dates instream work is allowed: There is no instream work on this project

☒ Special Provision 656, Erosion Control Plan

*Boxes marked in red indicate items that are attached and need to be placed in the contract by the Project Manager.

DEPARTMENT OF ENVIRONMENTAL PROTECTION (DEP)
PERMIT BY RULE NOTIFICATION FORM
(For use with DEP Regulation, Chapter 305)

■ MDOT PIN: 11576.00

Name of Applicant: State of Maine Department of Transportation Name of Contact: David Gardner
Mailing Address: 16 Station State House Town/City: Augusta State: ME Zip Code: 04330-0016
Daytime Telephone #: (207)-624-3105 Name of Wetland, Water Body or Stream: Unknown

Detailed Directions to Site: Project is located on Eastern Ave, Beginning at Pierce Road and extending northerly 1.49 miles to State Street.

Town/City: Brewer

Map #: N/A

Lot #: N/A

County: Penobscot

Description of Project: : Highway overlay involving culvert, guardrail, slope, and ditch maintenance and repairs. The project will be performed in accordance with erosion control measures conforming with the latest versions of the *State of Maine Department of Transportation Standard Specifications for Highways and Bridges* and the *Department of Transportation's Best Management Practices for Erosion and Sediment Control*.

Part of a larger project? ☐ Yes ☒ No

(CHECK ONE) This project... ☒ does ☐ does not ...involve work below mean low water.

I am filing notice of my intent to carry out work which meets the requirements for Permit By Rule (PBR) under DEP Regulation, Chapter 305. I have a copy of PBR Sections checked below. I have read and will comply with all of the standards.

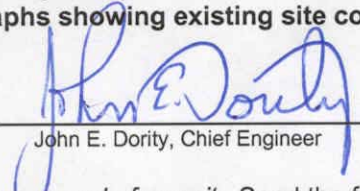
- | | | |
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| <input type="checkbox"/> Sec. (5) REPEALED | <input checked="" type="checkbox"/> Sec. (11) State Transport. Facilities | <input type="checkbox"/> Sec. (17) Transfers/Permit Extension |
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| <input type="checkbox"/> Sec. (7) Outfall Pipes | <input type="checkbox"/> Sec. (13) F&W Creation/Enhance/Water Quality Improvement | |

I authorize staff of the Departments of Environmental Protection, Inland Fisheries & Wildlife, and Marine Resources to access the project site for the purpose of determining compliance with the rules. I also understand that **this permit is not valid until approved by the Department or 14 days after receipt by the Department, whichever is less.**

I have attached all of the following required submittals. **NOTIFICATION FORMS CANNOT BE ACCEPTED WITHOUT THE NECESSARY ATTACHMENTS:**

- A \$55 (non-refundable) payment shall be done by internal billing.
- **Attach** a U.S.G.S. topo map or Maine Atlas & Gazetteer map with the project site clearly marked.
- ☐ **Attach** photographs showing existing site conditions (unless not required under standards).

Signature of Applicant:


John E. Dority, Chief Engineer

Date:

01/05/05

Keep the bottom copy as a record of permit. Send the form with attachments via certified mail to the Maine Dept. of Environmental Protection **at the appropriate regional office listed below.** The DEP will send a copy to the Town Office as evidence of the DEP's receipt of notification. No further authorization by DEP will be issued after receipt of notice. Permits are valid for two years. **Work carried out in violation of any standard is subject to enforcement action.**

AUGUSTA DEP STATE HOUSE STATION 17 AUGUSTA, ME 04333-0017 (207)287-2111 PORTLAND DEP 312
CANCO ROAD PORTLAND, ME 04103 (207)822-6300 BANGOR DEP 106 HOGAN ROAD BANGOR, ME
04401 (207)941-4570 PRESQUE ISLE DEP 1235 CENTRAL DRIVE PRESQUE ISLE, ME 04769 (207)764-0477

OFFICE USE ONLY
PBR # FP

Ck.#

Date

Staff

Acc. Date

Staff
Def. Date

After Photos

Chapter 305: PERMIT BY RULE Section 11
State Transportation Facilities

- 1. Introduction.** A "permit by rule" or "PBR", when approved by the Department of Environmental Protection (DEP), is an approval for an activity that requires a permit under the Natural Resources Protection Act (NRPA). Only those activities described in this chapter may proceed under the PBR process. A PBR activity will not significantly affect the environment if carried out in accordance with this chapter, and generally has less of an impact on the environment than an activity requiring an individual permit. A PBR satisfies the Natural Resources Protection Act (NRPA) permit requirement and Water Quality Certification requirement.

If a proposed activity is not described in this chapter, or will not be conducted in accordance with the standards of this chapter, the applicant must obtain an individual permit prior to beginning the activity.

- A. Location of activity.** The location of an activity may affect whether an activity qualifies for PBR, and whether review by the Department of Inland Fisheries and Wildlife is required.

- (1) Type of resource. For some types of activities, the availability of a PBR is affected by the type of natural resource in or adjacent to which the activity is proposed. For example, an applicant proposing an activity consisting of "Movement of rocks or vegetation" may receive a PBR only if the activity will take place in a great pond, river, stream or brook. Limitations concerning the location of activities are addressed in the "Applicability" provision in each section of this chapter.
- (2) Essential habitat. Essential habitats include areas critical to the survival of threatened and endangered species such as the bald eagle, least tern, roseate tern, and piping plover. If the activity is located in essential habitat, such as near an eagle nesting site, a PBR is only available if the applicant obtains written approval from the Department of Inland Fisheries and Wildlife (IF&W). This approval from IF&W must be submitted to the DEP with the PBR notification form, and the applicant must follow any conditions stated in the IF&W approval.

NOTE: Maps showing areas of essential habitat are available from the Department of Inland Fisheries and Wildlife regional headquarters, municipal offices, the Land Use Regulation Commission (for unorganized territories) and DEP regional offices. If the activity is located in essential habitat, IF&W must be contacted to request and obtain a "certification of review and approval".

- B. Notification.** The applicant must file notice of the activity with the DEP prior to beginning work on the activity. The notification must be on a form provided by the DEP and must include any submissions required in this chapter. The applicant must keep a copy to serve as the permit.

The notification form must be sent to the DEP by certified mail (return receipt requested), or hand delivered to the DEP and date stamped by the department.

C. Effective period

- (1) Beginning of period. The PBR becomes effective 14 calendar days after the DEP receives the notification form, unless the DEP approves or denies the PBR prior to that date. If the DEP does not speak with or write to the applicant within this 14 day period regarding the PBR notification, the applicant may proceed to carry out the activity.

There are three exceptions regarding the effective date of an approved PBR:

- (a) Activities listed in Section 10 (Stream crossings) occurring in association with forest management are exempt from the 14 day waiting period.
- (b) Activities listed in Section 2 (Soil disturbance) and Section 10 (Stream crossings) performed or supervised by individuals currently certified in erosion control practices by the DEP are exempt from the 14 day waiting period. To be certified in erosion control practices, an individual must successfully complete all course requirements of the Voluntary Contractor Certification Program administered by the DEP's Nonpoint Source Training and Resource Center.
- (c) Activities that are part of a larger project requiring a permit under the Site Location of Development or the Storm Water Management Acts may not proceed until any required permit under those laws is obtained.

NOTE: Activities that are part of a larger project may require other permits from the DEP also. These other laws may prohibit the start of construction of any part of the project unless a permit under that law is obtained. In these cases, while not a violation of this rule, starting work on a PBR approved activity would be a violation of those other applicable laws.

- (2) End of period. The PBR is generally effective for 2 years from the date of approval, except that a PBR for "Replacement of structures" under Section 4 is effective for 3 years.

NOTE: Activities that qualify under this chapter may need to meet other local, state and federal requirements. Examples -- (1) If an activity extends below the low water line of a lake, coastal wetland or international boundary water, the applicant should contact the Bureau of Parks and Lands (287-3061) concerning possible lease or easement requirements, or (2) If an activity will involve work below the mean high water line in navigable waters of the United States, the applicant should contact the Army Corps of Engineers (623-8367).

D. Discretionary authority. Notwithstanding compliance with the PBR applicability requirements and standards set forth in this chapter, the DEP may require an individual permit application to be filed in any case where credible evidence indicates that the activity:

- (1) May violate the standards of the NRPA (38 M.R.S.A. Section 480-D);
- (2) Could lead to significant environmental impacts, including cumulative impacts; or
- (3) Could adversely impact a resource of special concern.

If an individual permit is required pursuant to this subsection, the DEP shall notify the applicant in writing within the 14 calendar day waiting period described in sub-section (C) above. When the DEP notifies an applicant that an individual permit is required, no work may be conducted unless and until the individual permit is obtained.

E. Violations. A violation of law occurs when a person, or his or her agent, performs or causes to be performed any activity subject to the NRPA without first obtaining a permit from the DEP, or acts contrary to the provisions of a permit. The person, his or her agent, or both, may be held

responsible for the violation. Commonly, the "person" is the landowner, and the "agent" is the contractor carrying out the activity. A violation occurs when:

- (1) An activity occurs that is not allowed under PBR, whether or not a PBR notification form has been filed with and/or approved by the DEP;
- (2) An activity occurs that is allowed under PBR, but a PBR for the activity has not become effective prior to the beginning of the activity; or
- (3) An activity occurs that is allowed under PBR and a PBR for the activity is in effect, but the standards specified in this chapter are not met.

See the "applicability" provision under each activity for rules concerning what activities are allowed under PBR. A PBR is only valid for the person listed on the notification form, or for his or her agent.

Each day that a violation occurs or continues is considered a separate offense. Violations are subject to criminal penalties and civil penalties of not less than \$100 nor more than \$10,000 for each day of that violation (38 M.R.S.A. Section 349).

NOTE: A local Code Enforcement Officer (CEO) may take enforcement action for a violation of the Natural Resources Protection Act if he or she is authorized to represent a municipality in District Court, and he or she has been certified as familiar with court procedures, 30-A M.R.S.A. Section 4452(7).

Chapter 305 Section 11**State transportation facilities****A. Applicability**

- (1) This section applies to the maintenance, repair, reconstruction, rehabilitation, replacement or minor construction of a State Transportation Facility carried out by, or under the authority of, the Maine Department of Transportation or the Maine Turnpike Authority, including any testing or preconstruction engineering, and associated technical support services.
- (2) This section does not apply to an activity within a coastal sand dune system.

NOTE: The construction of a transportation facility other than roads and associated facilities may be subject to the Storm Water Management Law, 38 M.R.S.A. Section 420-D.

B. Standards

- (1) Photographs of the area to be altered by the activity must be taken before work on the site begins. The photographs must be kept on file and be made available at the request of the DEP.
- (2) The activity must be reviewed by the Department of Inland Fisheries and Wildlife, the Department of Marine Resources, the Atlantic Salmon Authority, and the DEP's Division of Environmental Assessment prior to the notification being filed with the DEP. The activity must be performed according to any recommendations from these authorities.
- (3) The activity must be performed in accordance with erosion control measures conforming with the State of Maine Department of Transportation Standard Specifications for Highways and Bridges Revision of April 1995 and with the Department of Transportation's Best Management Practices for Erosion and Sediment Control, September 1997.

NOTE: Guidance on the use of erosion control best management practices can be obtained from the on site Construction Manager.

- (4) Alignment changes may not exceed a distance of 200 feet between the old and new center lines in any natural resource.
- (5) The activity may not alter more than 300 feet of shoreline (both shores added together) within a mile stretch of any river, stream or brook, including any bridge width or length of culvert.
- (6) The activity may not alter more than 150 feet of shoreline (both shores added together) within a mile stretch of any outstanding river segment identified in 38 M.R.S.A. 480-P, including any bridge width or length of culvert.
- (7) The activity must minimize wetland intrusion. The activity is exempt from the provisions of Chapter 310, the Wetland Protection Rules, if the activity alters less than 15,000 square feet of natural resources per mile of roadway (centerline measurement) provided that the following impacts are not exceeded within the 15,000 square foot area:

- (a) 1,000 square feet of coastal wetland consisting of salt tolerant vegetation or shellfish habitat; or
- (b) 5,000 square feet of coastal wetland not containing salt tolerant vegetation or shellfish habitat; or
- (c) 1,000 square feet of a great pond.

All other activities must be performed in compliance with all sections of Chapter 310, the Wetland Protection Rules, except 310.2(C), 5(A), 9(1), 9(B) and 9(C).

- (8) The activity may not permanently block any fish passage in any watercourse containing fish. The applicant must improve passage beyond what restriction may already exist unless the Department of Inland Fisheries and Wildlife, the Department of Marine Resources, the Atlantic Salmon Authority and the DEP's Division of Environmental Assessment concur that the improvement is not necessary.
- (9) Rocks may not be removed from below the normal high water line of any coastal wetland, freshwater wetland, great pond, river, stream or brook except to the minimum extent necessary for completion of work within the limits of construction.
- (10) If work is performed in a river, stream or brook that is less than three feet deep at the time and location of the activity, with the exception of culvert installation, the applicant must divert flow away from the activity while work is in progress.
 - (a) Diversion may be accomplished by the use of stable, inert material. No more than two thirds (2/3) of stream width may be diverted at one time.
 - (b) Any material used to divert water flow must be completely removed upon completion of the activity, and the stream bottom must be restored to its original condition.
 - (c) A pump may be operated, where necessary, for a temporary diversion. The pump outlet must be located and operated such that erosion or the discharge of sediment to the water is prevented.

NOTE: Guidance on the appropriate location of a diversion and materials which should be used for a stream diversion can be obtained from the on site Construction Manager.

- (11) Wheeled or tracked equipment may not operate in the water. Equipment operating on the shore may reach into the water with a bucket or similar extension. Equipment may cross streams on rock, gravel or ledge bottom.
- (12) All wheeled or tracked equipment that must travel or work in a vegetated wetland area must travel and work on mats or platforms.
- (13) Any debris or excavated material must be stockpiled either outside the wetland or on mats or platforms. Hay bales or silt fence must be used, where necessary, to prevent sedimentation. Any debris generated during the activity must be prevented from washing downstream and must be removed from the wetland or water body. Disposal of debris must be in conformance with the Maine Hazardous Waste, Septage and Solid Waste Management Act, 38 M.R.S.A. Section 1301 et seq.

- (14) Work below the normal high water line of a great pond, river, stream or brook must be done at low water except for emergency work or work agreed to by the resource agencies listed in paragraph 2 above. Measures, such as a silt boom or staked fencing, must be employed to reduce and isolate turbidity.
- (15) Perimeter controls must be installed before the work starts. Disturbance of natural resources beyond the construction limits shown on the plans is not allowed under this rule.

NOTE: Guidance on the location of construction limits can be obtained from the on site Construction Manager.

- (16) The use of untreated lumber is preferred. Lumber pressure treated with chromated copper arsenate (CCA) may be used, provided it is cured on dry land in a manner that exposes all surfaces to the air for a period of at least 21 days prior to construction. Wood treated with creosote or pentachlorophenol may not be used where it will contact water.
- (17) A temporary road for equipment access must be constructed of crushed stone, blasted ledge, or similar materials that will not cause sedimentation or restrict fish passage. Such roads must be completely removed at the completion of the activity. In addition, any such temporary roads which are in rivers, streams or brooks, must allow for a passage of stormwater flows associated with a 10-year storm.
- (18) Soil may not be disturbed during any period when soils are saturated due to rain or snow melt, except as necessary to protect work in progress or as required for bridge maintenance activities. Areas where soils are saturated (i.e. water drips from the soil when squeezed by hand, or the soil is capable of being rolled into a rod 1/8th inch in diameter that does not crumble) must be immediately mulched if they are disturbed.
- (19) Disturbed soil must be protected within one week from the time it was last actively worked, and prior to any storm event, using temporary or permanent measures such as the placement of riprap, sod, mulch, erosion control blankets, or other comparable measures.
- (20) Hay bale or straw mulch, where used, must be applied at a rate of at least one bale per 500 square feet (1 to 2 tons per acre).
- (21) If mulch is likely to be moved because of steep slopes or wind exposure, it must be anchored with netting, peg and twine, binder or other suitable method and must be maintained until a catch of vegetation is established over the entire disturbed area.
- (22) In addition to the placement of riprap, sod, erosion control blankets or mulch, additional steps must be taken where necessary to prevent sedimentation of the water. Evidence of sedimentation includes visible sheet, rill or gully erosion, discoloration of water by suspended particles and/or slumping of banks. Silt fences, staked hay bales and other sedimentation control measures, where planned for, must be in place prior to the commencement of an activity, but must also be installed whenever necessary to prevent erosion and sedimentation.

NOTE: Guidance on the location and proper installation of erosion control measures can be obtained from the on site Construction Manager.

- (23) Temporary erosion control measures must be maintained and inspected weekly until the site is permanently stabilized with vegetation or other permanent control measures. Erosion control measures must also be inspected immediately prior to and following storms.
- (24) Permanent erosion control measures protecting all disturbed areas must be implemented within 30 days from the time the areas were last actively worked, or for fall and winter activities by the following June 15, except where precluded by the type of activity (e.g. riprap, road surfaces, etc.). The permanent erosion control measures must be maintained.
- (25) The applicant shall immediately take appropriate measures to prevent erosion or sedimentation from occurring or to correct any existing problems, regardless of the time of year.
- (26) Non-native species may not be planted in restored areas.
- (27) Disposal of debris must be in conformance with Maine Hazardous Waste, Septage and Solid Waste Management Act, 38 M.R.S.A. Sections 1301 et seq.
- (28) Disturbance of vegetation must be avoided, if possible. Where vegetation is disturbed outside of the area covered by any road or structure construction, it must be reestablished immediately upon completion of the activity and must be maintained.
- (29) A vegetated area at least 25 feet wide must be established and maintained between any new stormwater outfall structure and the high water line of any open water body. A velocity reducing structure must be constructed at the outlet of the stormwater outfall that will create sheet flow of stormwater, and prevent erosion of soil within the vegetated buffer. If the 25 foot vegetated buffer is not practicable, the applicant must explain the reason for a lesser setback in writing. Approval from the DEP must be in writing and any recommendations must be incorporated into the activity.

C. Definitions. The following terms, as used in this chapter, have the following meanings, unless the context indicates otherwise:

- (1) Diversion. A rerouting of a river, stream or brook to a location outside of its established channel.
- (2) Fill. a. (verb) To put into or upon, supply to, or allow to enter a water body or wetland any earth, rock, gravel, sand, silt, clay, peat, or debris; b. (noun) Material, other than structures, placed in or immediately adjacent to a wetland or water body.
- (3) Floodplain wetlands. Freshwater wetlands that are inundated with flood water during a 100-year flood event based on flood insurance maps produced by the Federal Emergency Agency or other site specific information.
- (4) Riprap. Rocks that are fit into place, usually without mortar, on a slope as defined in the State of Maine, Department of Transportation, Standard Specifications for Highway and Bridges, revision of April 1995.

Permit No: GP-39

Effective Date: Sept. 29, 2000
Expiration Date: Sept. 29, 2005

Applicant: General Public, State of Maine

**DEPARTMENT OF THE ARMY
PROGRAMMATIC GENERAL PERMIT
STATE OF MAINE**

The New England District of the U.S. Army Corps of Engineers hereby issues a programmatic general permit (PGP) that expedites review of minimal impact work in coastal and inland waters and wetlands within the State of Maine. Activities with minimal impacts, as specified by the terms and conditions of this general permit and on the attached DEFINITION OF CATEGORIES sheets, are either non-reporting (provided required local and state permits are received), or are reporting, to be screened by the Corps and Federal Resource Agencies for applicability under the general permit. This general permit does not affect the Corps individual permit review process or activities exempt from Corps jurisdiction.

Activities Covered: work and structures that are located in, or that affect, navigable waters of the United States (regulated by the Corps under Section 10 of the Rivers and Harbors Act of 1899) and the discharge of dredged or fill material into waters of the United States (regulated by the Corps under Section 404 of the Clean Water Act), and the transportation of dredged material for the purpose of disposal in the ocean (regulated by the Corps under Section 103 of the Marine Protection, Research and Sanctuaries Act).

PROCEDURES:

A. State Approvals

For projects authorized pursuant to this general permit that are also regulated by the State of Maine, the following state approvals are also required and must be obtained in order for this general permit authorization to be valid (applicants are responsible for ensuring that all required state permits and approval have been obtained):

- (a) Maine Department of Environmental Protection (DEP): Natural Resources Protection Act permit, including permit-by-rule and general permit authorizations; Site Location and Development Act permit; and Maine Waterway Development and Conservation Act.
- (b) Maine Department of Conservation: Land Use Regulation Commission (LURC) permit.
- (c) Maine Department of Marine Resources: Lease.
- (d) Bureau of Public Lands, Submerged Lands: Lease.

Note that projects not regulated by the State of Maine (e.g., seasonal floats or moorings) may still be authorized by this general permit.

B. Corps Authorizations: Category I (Non-Reporting)

Work in Maine subject to Corps jurisdiction that meets the definition of Category I on the attached DEFINITION OF CATEGORIES sheets and that meets all of this permit's other conditions, does not require separate application to the Corps of Engineers. If the State or the Corps does not contact the applicant for PBRs and Tier One permits during the State's Tier One 30-day review period, Corps approval may be assumed and the project may proceed. Refer to the Procedures Section at Paragraph E below for additional information regarding screening.

Note that the review thresholds under Category I apply to single and complete projects i only (see special condition 5). **Also note that Category I does not apply to projects occurring in a component of, or within 0.25 miles up and downstream of the main stem or tributaries of a river segment of the National Wild and Scenic River System** (see condition 11, and page 9 for the listed rivers in Maine).

There are also restrictions on other national lands or concerns, which must be met in order for projects to be eligible for authorization under this PGP. Refer to special conditions 6-13 under Paragraph F below.

Work that is not regulated by the State of Maine, but that is subject to Corps jurisdiction, is eligible for Corps authorization under this PGP in accordance with the review thresholds and conditions contained herein.

Although Category I projects are non-reporting, the Corps reserves the right to require screening or an individual permit review if there are concerns for the aquatic environment or any other factor of the public interest (see special condition 4 on Discretionary Authority). The Corps review or State/Federal screening process may also result in project modification, mitigation or other special conditions necessary to minimize impacts and protect the aquatic environment as a requirement for PGP approval.

C. Corps Authorization: Category II (Reporting - requiring screening) APPLICATION PROCEDURES

For projects that do not meet the terms of Category I (see DEFINITION OF CATEGORIES sheets), the Corps, State, and Federal Resource Agencies will conduct joint screening meetings to review applications. If projects are concurrently regulated by the DEP or LURC, applicants do not need to submit separate applications to the Corps. For projects not regulated by DEP or LURC, applicants must submit an application to the Corps Maine Project Office for a case-by-case determination of eligibility under this general permit (Category II). **Category II projects may not proceed until written notification is received from the Corps.**

Category II projects which occur in a component of, or within 0.25 mile up or downstream of the main stem or tributaries of a river segment of the National Wild and Scenic River System, will be coordinated with the National Park Service (see special condition 11, and page 9 for listed rivers in Maine).

There are also restrictions on other national lands or concerns, which must be met in order for projects to be eligible for authorization under this PGP. Refer to special conditions 6-14 under Paragraph E below.

Category II applicants shall submit a copy of their application materials to the Maine Historic Preservation Commission and/or applicable Indian tribe(s) at the same time, or before, they apply to the DEP, LURC, or the Corps so that the project can be reviewed for the presence of historic/archaeological resources in the project area that may be affected by the proposed work. **Applications to the DEP or the Corps should include information to indicate that this has been done (applicant's statement or copy of cover letter to Maine Historic Preservation Commission and/or Indian tribe(s)).**

The Corps may require additional information on a case-by-case basis as follows:

- (a) purpose of project;
- (b) 8 1/2" by 11" plan views of the entire property including property lines and project limits with existing and proposed conditions (**legible, reproducible plans required**);
- (c) wetland delineation for the site, information on the basis of the delineation, and calculations of waterway and wetland impact areas (see special condition 2);
- (d) typical cross-section views of all wetland and waterway fill areas and wetland replication areas;
- (e) delineation of submerged aquatic vegetation, e.g., eel grass beds, in tidal waters;
- (f) area, type and source of fill material to be discharged into waters and wetlands, including the volume of fill below ordinary high water in inland waters and below the high tide line in coastal waters;
- (g) mean low, mean high water and high tide elevations in navigable waters;
- (h) limits of any Federal navigation project in the vicinity and State Plane coordinates for the limits of the proposed work closest to the Federal project;
- (i) on-site alternatives analysis (contact Corps for guidance);
- (j) identify and describe potential impacts to Essential Fish Habitat (contact Corps for guidance);
- (k) for dredging projects, include:
 - 1) the volume of material and area in square feet to be dredged below mean high water,
 - 2) existing and proposed water depths,
 - 3) type of dredging equipment to be used,
 - 4) nature of material (e.g., silty sand),

- 5) any existing sediment grain size and bulk sediment chemistry data for the proposed or any nearby projects,
- 6) information on the location and nature of municipal or industrial discharges and occurrences of any contaminant spills in or near the project area,
- 7) location of the disposal site (include locus sheet),
- 8) shellfish survey, and
- 9) sediment testing, including physical, chemical and biological testing. For projects proposing open water disposal, applicants are encouraged to contact the Corps as early as possible regarding sampling and testing protocols.

The Corps may request additional information. Dredging applicants may be required to conduct a shellfish and/or eel grass survey and sediment testing, including physical, chemical and biological testing. Sediment sampling and testing plans should be prepared or approved by the Corps before the samples are collected.

STATE-FEDERAL SCREENING PROCEDURES:

The Corps intends to utilize the application information required by the State for its regulatory program to the maximum extent practicable and the Corps normally will not be interacting with an applicant who is concurrently making application to the DEP or LURC. Projects not regulated by the State, but needing Corps of Engineers approval, **must apply directly to the Corps**. The joint screening meeting for Category II projects will occur regularly at the Corps or State of fices and will involve representatives from the DEP, the Corps, the U.S. Environmental Protection Agency, the U.S. Fish and Wildlife Service, and the National Marine Fisheries Service.

The Corps and Federal Resource Agencies will classify the project within the State's review period, not to exceed 60 days, as: 1) approvable under the PGP as proposed; 2) needs additional information, including possible project modification, mitigation or other special conditions to minimize impacts; or 3) exceeds the terms or conditions of the PGP, including the minimal effects requirement, and an individual permit review will be required. In addition, the Corps retains the ability to exercise its discretionary authority and require an individual permit, irrespective of whether the terms and conditions of this general permit are met, based on concerns for the aquatic environment or any factor of the public interest (see special condition 4 on Discretionary Authority). All Category II projects must receive written approval from the Corps before work can proceed. If the project is not approvable as proposed, the DEP, LURC, or the Corps will contact the applicant to discuss the concerns raised. If the applicant is unable to resolve the concerns, the Corps, independently or at the request of the Federal Resource Agencies, will require an individual permit for the project. The applicant will be notified of this in writing, along with information about submitting the necessary application materials. The comments from the Federal Resource Agencies to the Corps may be verbal initially, and must be made within 10 working days of the screening meeting. These comments must be confirmed in writing within 10 calendar days of the verbal response if the Resource Agency(ies) will request an individual permit. The Federal Resource Agency's comments must reflect a concern within their area of expertise, state the species or resources that could be impacted by the project, and describe the impacts that either individually or cumulatively will be more than minimal.

MINERALS MANAGEMENT SERVICE (MMS) REVIEW

For Category II projects which involve construction of solid fill structures or discharge of fills along the coast which may extend the coastline or baseline from which the territorial sea is measured, coordination between the Corps and Minerals Management Service (MMS), Continental Shelf (OCS) Survey Group, will be needed (pursuant to the Submerged Lands Act, 43 U.S.C., Section 1301-1315, 33 CFR 320.4(f)). During the screening period, the Corps will forward project information to MMS for their review. MMS will coordinate their determination with the Department of the Interior (DOI) Solicitor's Office. The DOI will have 15 calendar days from the date MMS is in receipt of project information to determine if the baseline will be affected. No notification to the Corps within 15 day review period will constitute a "no affect" determination. Otherwise, the solicitor's notification to the Corps may be verbal but must be followed with a written confirmation within 10 business days from the date of the verbal notification. This procedure will be eliminated if the State of Maine provides a written waiver of interest in any increase in submerged lands caused by a change in the baseline resulting from solid fill structure or fills authorized under this general permit.

D. Corps Authorization: Category III (Individual Permit)

Work that is in the INDIVIDUAL PERMIT category on the attached DEFINITION OF CATEGORIES sheets, or that does not meet the terms and conditions of this general permit, will require an application for an individual permit from the Corps of Engineers (see 33 CFR Part 325.1). The screening procedures outlined above will only serve to delay project review in such cases. The applicant should submit the appropriate application materials (including the Corps application form) at the earliest possible date. General information and application forms can be obtained at (207) 623-8367 (Maine Field Office), (800) 343-4789, or (800) 362-4367 in Massachusetts. Individual water quality certification and coastal zone management consistency concurrence will be required from the State of Maine before Corps permit issuance.

E. Programmatic General Permit Conditions:

The following conditions apply to activities authorized under the PGP, including all Category I (non-reporting) and Category II (reporting - requiring screening) activities:

GENERAL REQUIREMENTS:

1. **Other Permits.** Authorization under this general permit does not obviate the need to obtain other Federal, state, or local authorizations required by law.
2. **Applicability of this general permit shall be evaluated with reference to Federal jurisdictional boundaries.** Applicants are responsible for ensuring that the boundaries used satisfy the federal criteria defined at 33 CFR 328-329.
3. **Minimal Effects.** Projects authorized by this general permit shall have minimal individual and cumulative adverse environmental impacts as determined by the Corps.

4. **Discretionary Authority.** Notwithstanding compliance with the terms and conditions of this permit, the Corps of Engineers retains discretionary authority to require review for an individual permit based on concerns for the aquatic environment or for any other factor of the public interest. This authority is invoked on a case-by-case basis whenever the Corps determines that the potential consequences of the proposal warrant individual review based on the concerns stated above. This authority may be invoked for projects with cumulative environmental impacts that are more than minimal or if there is a special resource or concern associated with a particular project that is not already covered by the remaining conditions of the PGP and that warrants greater review.

Whenever the Corps notifies an applicant that an individual permit may be required, authorization under this general permit is void and no work may be conducted until the individual Corps permit is obtained or until the Corps notifies the applicant that further review has demonstrated that the work may proceed under this general permit.

5. **Single and Complete Projects.** This general permit shall not be used for piecemeal work and shall be applied to single and complete projects. All components of a single project and/or all planned phases of multi-phased projects shall be treated together as constituting one single and complete project (e.g., subdivisions should include all work such as roads, utilities, and lot development). This general permit shall not be used for any activity that is part of an overall project for which an individual permit is required.

NATIONAL CONCERNS:

6. **St. John/St. Croix Rivers.** This covers work within the Saint John and Saint Croix River basins that requires approval of the International Joint Commission. This includes any temporary or permanent use, obstruction or diversion of international boundary waters which could affect the natural flow or levels of waters on the Canadian side of the line, as well as any construction or maintenance of remedial works, protective works, dams, or other obstructions in waters downstream from boundary waters when the activity could raise the natural level of water on the Canadian side of the boundary.
7. **Historic Properties.** Any activity authorized by this general permit shall comply with Section 106 of the National Historic Preservation Act. Information on the location and existence of historic resources can be obtained from the Maine Historic Preservation Commission and the National Register of Historic Places. Federally recognized tribes (Penobscots, Passamaquoddys, Micmacs, and Maliseets) may know of the existence of other sites that may be of significance to their tribes. See page 14 for historic properties contacts.

Applicants with projects which will undergo the screening process (Category II) shall submit a copy of their application materials, with the name and address of the applicant clearly indicated, to the Maine Historic Preservation Commission, 55 Capitol Street, State House Station 65, Augusta, Maine 04333, and to the applicable tribe(s) to be reviewed for the presence of historic and/or archaeological resources in the permit area that may be affected by the proposed work. The Corps will then be notified by the Commission and/or

Tribe within 10 days if there are State and/or tribal concerns that the proposed work will have an effect on historic resources. The applicant should include with their application to the State or the Corps either a copy of their cover letter or a statement of having sent their application material to the Commission and Tribe(s).

If the permittee, either prior to construction or during construction of the work authorized herein, encounters a previously unidentified archaeological or other cultural resource, within the area subject to Department of the Army jurisdiction, that might be eligible for listing in the National Register of Historic Places, he/she shall stop work and immediately notify the District Engineer and the Maine Historic Preservation Commission and/or applicable Tribe(s).

8. **National Lands.** Activities authorized by this general permit shall not impinge upon the value of any National Wildlife Refuge, National Forest, or any area administered by the National Park Service.

9. **Endangered Species.** No activity is authorized under this general permit which

- may affect a threatened or endangered species or a species proposed for such designation as identified under the Federal Endangered Species Act (ESA),
- is likely to destroy or adversely modify the critical habitat or proposed critical habitat of such species,
- would result in a 'take' of any threatened or endangered species of fish or wildlife, or
- would result in any other violation of Section 9 of the ESA protecting threatened or endangered species of plants.

Applicants shall notify the Corps if any listed species or critical habitat, or proposed species or critical habitat, is in the vicinity of the project and shall not begin work until notified by the District Engineer that the requirements of the Endangered Species Act have been satisfied and that the activity is authorized. Information on the location of threatened and endangered species and their critical habitat can be obtained from the U.S. Fish and Wildlife Service and National Marine Fisheries Service (addresses attached, page 14).

10. **Essential Fish Habitat.** As part of the PGP screening process, the Corps will coordinate with the National Marine Fisheries Service (NMFS) in accordance with the 1996 amendments to the Magnuson-Stevens Fishery and Conservation Management Act to protect and conserve the habitat of marine, estuarine and anadromous finfish, mollusks, and crustaceans. This habitat is termed "essential fish habitat (EFH)", and is broadly defined to include "those waters and substrate necessary to fish for spawning, breeding, feeding, or growth to maturity." Applicants may be required to describe and identify potential impacts to EFH based upon the location of the project, the activity proposed, and the species present. Conservation recommendations made by NMFS will normally be included as a permit requirement by the Corps. Information on the location of EFH can be obtained from the NMFS regulations (50 CFR Part 600) (address listed on page 14) and on their web site (<http://www.nero.nmfs.gov/ro/doc/webintro.html>).

The EFH designation for Atlantic salmon includes all aquatic habitats in the watershed of the following rivers and streams, including all tributaries to the extent that they are currently or were historically accessible for salmon migration:

St. Croix River	Pleasant River	Union River
Boyden River	Narraguagus River	Ducktrap River
Dennys River	Tunk Stream	Sheepscot River
Hobart Stream	Patten Stream	Kennebec River
Aroostook River	Orland River	Androscoggin River
East Machias River	Penobscot River	Presumpscot River
Machias River	Passagassawaukeag River	Saco River

11. **Wild and Scenic Rivers.** Any activity that occurs in a component of, or within 0.25 mile up or downstream of the main stem or tributaries of a river segment of the National Wild and Scenic River System, **must be reviewed by the Corps under the procedures of Category II of this general permit regardless of size of impact.** This condition applies to both designated wild and scenic rivers and rivers designated by Congress as study rivers for possible inclusion while such rivers are in an official study status. The Corps will consult with the National Park Service (NPS) with regard to potential impacts of the proposed work on the resource values of the Wild and Scenic River. The culmination of this coordination will be a determination by the NPS and the Corps that the work: (1) may proceed as proposed; (2) may proceed with recommended conditions; or (3) could pose a direct and adverse effect on the resource values of the river and an individual permit is required. If pre-application consultation between the applicant and the NPS has occurred whereby the NPS has made a determination that the proposed project is appropriate for authorization under this PGP (with respect to wild and scenic river issues), this determination should be furnished to the Corps with submission of the application. The address of the NPS can be found on Page 14 of this permit. *National Wild/Scenic Rivers System (Designated River in Maine) as of 5/2/00:* Allagash River beginning at Telos Dam continuing to Allagash checkpoint at Eliza Hole Rapids, approximately 3 miles upstream of the confluence with the St. John River. Length = 92 miles

12. **Federal Navigation Project.** Any structure or work that extends closer to the horizontal limits of any Corps navigation project than a distance of three times the project's authorized depth (see attached map following page 16 for locations of these projects) shall be subject to removal at the owner's expense prior to any future Corps dredging or the performance of periodic hydrographic surveys.

13. **Navigation.** There shall be no unreasonable interference with navigation by the existence or use of the activity authorized herein and no attempt shall be made by the permittee to prevent the full and free use by the public of all navigable waters at or adjacent to the activity authorized herein.

The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure

or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

14. **Federal Liability.** In issuing this permit, the Federal Government does not assume any liability for the following: (a) damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes; (b) damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest; (c) damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit; (d) design or construction deficiencies associated with the permitted work; (e) damage claims associated with any future modification, suspension, or revocation of this permit.

MINIMIZATION OF ENVIRONMENTAL IMPACTS:

15. **Minimization.** Discharges of dredged or fill material into waters of the United States shall be avoided and minimized to the maximum extent practicable, regardless of review category.
16. **Work in Wetlands.** Heavy equipment working in wetlands shall be avoided if possible, **and if required, shall be placed on mats or other measures taken** to minimize soil and vegetation disturbance. Disturbed areas in wetlands shall be restored to preconstruction contours and conditions upon completion of the work.
17. **Temporary Fill.** Temporary fill in waters and wetlands authorized by this general permit (e.g., access roads, cofferdams) shall be properly stabilized during use to prevent erosion. Temporary fill in wetlands shall be placed on geotextile fabric laid on existing wetland grade. Temporary fills shall be disposed of at an upland site, suitably contained to prevent erosion and transport to a waterway or wetland. Temporary fill areas shall be restored to their approximate original contours but not higher. No temporary fill shall be placed in waters or wetlands unless specifically authorized by the Corps.
18. **Sedimentation and Erosion Control.** Adequate sedimentation and erosion control management measures, practices and devices, such as phased construction, vegetated filter strips, geotextile silt fences or other devices, shall be installed and properly maintained to reduce erosion and retain sediment on-site during and after construction. They shall be capable of preventing erosion, of collecting sediment, suspended and floating materials, and of filtering fine sediment. These devices shall be removed upon completion of work and the disturbed areas shall be stabilized. The sediment collected by these devices shall be removed and placed at an upland location in a manner that will prevent its later erosion into a waterway or wetland. All exposed soil and other fills shall be permanently stabilized at the earliest practicable date.

19. Waterway Crossings.

- (a) All temporary and permanent crossings of waterbodies shall be suitably culverted, bridged, or otherwise designed to withstand and to prevent the restriction of high flows, to maintain existing low flows, and to not obstruct the movement of aquatic life indigenous to the waterbody beyond the actual duration of construction.
- (b) Temporary bridges, culverts, or cofferdams shall be used for equipment access across streams (NOTE: areas of fill and/or cofferdams must be included in total waterway/wetlands impacts to determine applicability of this general permit).
- (c) For projects that otherwise meet the terms of Category I, instream construction work shall be conducted during the low flow period July 15 - October 1 in any year. Projects that are not to be conducted during that time period are ineligible for Category I and shall be screened pursuant to Category II, regardless of the waterway and wetland fill and/or impact area.

20. Discharge of Pollutants. All activities involving any discharge of pollutants into waters of the United States authorized under this general permit shall be consistent with applicable water quality standards, effluent limitations, standards of performance, prohibitions, and pretreatment standards and management practices established pursuant to the Clean Water Act (33 U.S.C. 1251) and applicable state and local laws. If applicable water quality standards, limitations, etc., are revised or modified during the term of this permit, the authorized work shall be modified to conform with these standards within six months of the effective date of such revision or modification, or within a longer period of time deemed reasonable by the District Engineer in consultation with the Regional Administrator of the Environmental Protection Agency. Applicants may presume that state water quality standards are met with issuance of the 401 Water Quality Certification.

21. Spawning Areas. Discharges into known 1) fish and shellfish spawning or nursery areas; and 2) amphibian and waterfowl breeding areas, during spawning or breeding seasons shall be avoided, and impacts to these areas shall be avoided or minimized to the maximum extent practicable during all times of year.

22. Storage of Seasonal Structures. Coastal structures such as pier sections and floats that are removed from the waterway for a portion of the year shall be stored in an upland location located above mean high water and not in tidal marsh.

23. Environmental Values. The permittee shall make every reasonable effort to carry out the construction or operation of the work authorized herein in a manner so as to maintain as much as is practicable, and to minimize any adverse impacts on, existing fish and wildlife and natural environmental values.

24. Protection of Vernal Pools. Impacts to uplands in proximity (within 500 feet) to the vernal pools referenced in DEFINITIONS OF CATEGORIES shall be minimized to the maximum extent possible.

PROCEDURAL CONDITIONS:

25. **Cranberry Development Projects.** For Cranberry development projects authorized under the PGP, the following conditions apply:

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1. If a cranberry bog is abandoned for any reason, the area must be allowed to convert to natural wetlands unless an individual permit is obtained from the Corps of Engineers allowing the discharge of fill for an alternate use.
2. No stream diversion shall be allowed under this permit.
3. No impoundment of perennial streams shall be allowed under this permit.
4. The project shall be designed and constructed to not cause flood damage on adjacent properties.

26. **Inspections.** The permittee shall permit the District Engineer or his authorized representative(s) to make periodic inspections at any time deemed necessary in order to ensure that the work is being performed in accordance with the terms and conditions of this permit. The District Engineer may also require post-construction engineering drawings for completed work, and post-dredging survey drawings for any dredging work. **To facilitate these inspections, the attached work notification form should be filled out and returned to the Corps for all Category II projects.**

27. **Maintenance.** The permittee shall maintain the work or structures authorized herein in good condition, including maintenance, to ensure public safety. Dredging projects: note that this does not include maintenance of dredging projects. Maintenance dredging is subject to the review thresholds described on the attached DEFINITION OF CATEGORIES sheets and/or any conditions included in a written Corps authorization.

28. **Property Rights.** This permit does not convey any property rights, either in real estate or material, or any exclusive privileges, nor does it authorize any injury to property or invasion of rights or any infringement of federal, state, or local laws or regulations. **If property associated with work authorized by the PGP is sold, the PGP authorization is automatically transferred to the new property owner. The new property owner should provide this information to the Corps in writing. No acknowledgement from the Corps is necessary.**

29. **Modification, Suspension, and Revocation.** This permit may be either modified, suspended, or revoked, in whole or in part, pursuant to the policies and procedures of 33 CFR 325.7 and any such action shall not be the basis for any claim for damages against the United States.

30. **Restoration.** The permittee, upon receipt of a notice of revocation of authorization under this permit, shall restore the wetland or waterway to its former condition without expense to the United States and as directed by the Secretary of the Army or his authorized representative. If the permittee fails to comply with such a directive, the Secretary or his designee may restore the wetland or waterway to its former condition, by contract or otherwise, and recover the cost from the permittee.

31. **Special Conditions.** The Corps, independently or at the request of the Federal Resource Agencies, may impose other special conditions on a project authorized pursuant to this general permit that are determined necessary to minimize adverse environmental effects or based on any other factor of the public interest. Failure to comply with all conditions of the authorization, including special conditions, will constitute a permit violation and may subject the permittee to criminal, civil, or administrative penalties or restoration.
32. **False or Incomplete Information.** If the Corps makes a determination regarding the eligibility of a project under this permit and subsequently discovers that it has relied on false, incomplete, or inaccurate information provided by the permittee, the permit shall not be valid and the government may institute appropriate legal proceedings.
33. **Abandonment.** If the permittee decides to abandon the activity authorized under this general permit, unless such abandonment is merely the transfer of property to a third party, he/she must restore the area to the satisfaction of the District Engineer.
34. **Enforcement cases.** This general permit does not apply to any existing or proposed activity in Corps jurisdiction associated with an on-going Corps of Engineers or Environmental Protection Agency enforcement action until such time as the enforcement action is resolved or the Corps determines that the activity may proceed independently without compromising the enforcement action. The Corps may choose not to accept applications or issue permits to any applicant with outstanding violations.
35. **Emergency situations.** This PGP can be used to authorize the repair, rehabilitation, or replacement of those structures destroyed by storms, floods, fire or other discrete unexpected and catastrophic event. In such situations and if the work exceeds Category I limitations, if applicant applies to the Corps within 30 days of the event, the Corps will attempt to contact the resource agencies for their approvals but, if unable to contact them, will issue an emergency permit and review them after-the-fact with the agencies at the next joint processing meeting. Proposed work submitted more than 30 days after the emergency will go through the standard PGP procedures.

DURATION OF AUTHORIZATION/GRANDFATHERING:

36. **Duration of Authorization.** Activities authorized under this general permit that have commenced (i.e., are under construction) or are under contract to commence in reliance upon this authorization will remain authorized provided the activity is completed within twelve months of the date of the general permit's expiration, modification, or revocation, unless discretionary authority has been exercised on a case-by-case basis to modify, suspend, or revoke the authorization in accordance with 33 CFR 325.2 (e)(2). Activities completed under the authorization of the general permit that was in effect at the time the activity was completed will continue to be authorized by the general permit.

37. Previously Authorized Activities.

- (a) Activities which have commenced (i.e., are under construction or are under contract to commence) prior to the issuance date of this general permit, in reliance upon the terms and conditions of the non-reporting category of the previous Maine PGP shall remain authorized provided the activity is completed within twelve months of the date of issuance of this general permit, unless discretionary authority has been exercised on a case-by-case basis to modify, suspend, or revoke the authorization in accordance with special condition 4. The applicant must be able to document to the Corps satisfaction that the project was under construction or contract by the appropriate date.
- (b) Projects that have received written verification or approval from the Corps, based on applications made to the Corps prior to issuance of this general permit, for the previous Maine SPGP and PGP, Nationwide permits, regional general permits, or letters of permission shall remain authorized as specified in each authorization.
- (c) This general permit does not affect activities authorized pursuant to 33 CFR Part 330.3 (activities occurring before certain dates).

For DISTRICT ENGINEER Christine Gedfrey DATE 7 / 26 / 00

CONTACTS FOR MAINE PROGRAMMATIC GENERAL PERMIT:

U.S. Army Corps of Engineers
Maine Project Office
675 Western Avenue #3
Manchester, Maine 04351
207-623-8367
Fax # 207-623-8206

Federal Endangered Species
U.S. Fish and Wildlife Service
Maine Field Office
1033 South Main Street
Old Town, Maine 04468
207-827-5938
Fax # 207-827-6099

Wild and Scenic Rivers
National Park Service
North Atlantic Region
15 State Street
Boston, MA 02109
617-223-5203

Maine Historic Preservation Commission
55 Capitol Street
State House Station 65
Augusta, Maine 04333
207-287-2132
Fax # 207-287-2335
Aroostook Band of Micmacs
P.O. Box 772
Presque Isle, Maine 04769
207-764-1972
Fax # 207-764-7667

Passamaquoddy Tribe of Indians
Pleasant Point Reservation
Attn: Tribal Council
P.O. Box 343
Perry, Maine 04667
207-853-2600
Fax # 207-853-6039

*Federal Endangered Species and Essential
Fish Habitat*
National Marine Fisheries Service
One Blackburn Drive
Gloucester, Massachusetts 01939
978-281-9102
Fax # 978-281-9301

Houlton Band of Maliseet Indians
Attn: Brenda Commander, Tribal Chief
Route 3 - Box 450
Houlton, Maine 04730
207-532-4273
Fax # 207-532-2660
Passamaquoddy Tribe of Indians
Indian Township Reservation
Attn: Donald Soctomah
P.O. Box 301
Princeton, Maine 04668
207-796-2301
Fax # 207-796-5256

Penobscot Indian Nation
Richard Hamilton, Chief
6 River Road
Indian Island Reservation
Old Town, Maine 04468
(207) 827-7776
Fax # 207-827-1137

*Maine Department of Environmental Protection
(For State Permits and Water Quality
Certifications)*

Natural Resources Division
Bureau of Land and Water Quality Control
State House Station 17
Augusta, Maine 04333
207-287-2111

Southern Maine Regional Office
312 Canco Road
Portland, Maine 04103
201-822-6300

Eastern Maine Regional Office
106 Hogan Road
Bangor, Maine 04401
207-941-4570

Northern Maine Regional Office
1235 Central Drive
Skyway Park
Presque Isle, Maine 04769
207-764-0477

*MaineLand UseRegulation Commission (LURC)
offices*

22 State House Station
Augusta, ME 04333-0022
207-287-2631
800-452-8711 (call to obtain appropriate LURC
of fice)
Fax # 207-287-7439

45 Radar Road
Ashland,ME 04732-3600
207-435-7963
Fax # 207-435-7184

Lakeview Drive
P.O.Box1107
Greenville, ME 04441
207-695-2466
Fax # 207-695-2380

191 Main Street
EastMillinocket,ME 04430
207-746-2244
Fax # 207-746-2243

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(For CZMDeterminations)

State Planning Office
Coastal Program
184 State Street
State House Station 38
Augusta, Maine 04333
207-287- 1009

*Maine Department of Marine Resources
(For Aquaculture Leases)*
McKown Point
Boothbay Harbor, Maine 04575
207-633-9500

(For Submerged Lands Leases)

Maine Department of Conservation
Bureau of Parks and Lands
22 State House Station
207-287-3061

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A. INLAND WETLANDS (WATERS OF THE U.S.) ¹	CATEGORY I	CATEGORY II	INDIVIDUAL PERMIT
(a) NEW FILL/ EXCAVATION DISCHARGES	<p>Less than 4,300 sf inland waterway and /or wetland fill and secondary impacts (e.g., areas drained, flooded or cleared).</p> <p>-- Includes projects covered by a State Tier One permit with no cumulative impacts over 15,000 sf in inland wetlands from previous permits, unauthorized work, and/or other state permits.</p> <p>-- Includes crossing of perennial waterways designated as Essential Fish Habitat (EFH) for Atlantic salmon² if the waterway is crossed with a span and footprints of the span abutments are outside ordinary high water with no more than 4,300 sf of associated wetland impact.</p> <p>-- Includes in-stream work of up to 4,300 sf of fill below ordinary high water in waterways not designated as EFH for Atlantic salmon² and performed in accordance with Maine Permit By Rule standards or a LURC permit.</p>	<p>4,300 sf to 3 acres inland waterway and/or wetland fill and secondary impacts (e.g., areas drained, flooded or cleared).</p> <p>-- Impact area includes all temporary and permanent fill and excavation except for incidental fallback.</p> <p>-- Includes in-stream work, including crossings (other than a spanned crossing as described in Category I) with any discharge of fill below ordinary high water in perennial waterways designated as EFH for Atlantic salmon².</p> <p>-- Time of year restrictions determined case-by-case.</p>	<p>Greater than 3 acres inland waterway and/or wetland fill and secondary impacts (e.g., areas drained, flooded or cleared).</p> <p>-- Impact area includes all temporary and permanent fill and excavation discharges except for incidental fallback³.</p> <p>In-stream work exceeding Category II limits.</p> <p>If EIS required by the Corps.</p>

¹ Water of the U.S. in inland areas: inland rivers, streams, lakes, ponds and wetlands.

² Essential Fish Habitat for Atlantic salmon includes all aquatic habitats in the watersheds of the following rivers and streams, including all tributaries to the extent that they are currently or were historically accessible for salmon migration: St. Croix, Boyden, Dennys, Hobart Stream, Aroostook, East Machias, Machias, Pleasant, Narraguagus, Tunk stream, Patten Stream, Orland, Penobscot, Passagassawaukeag, Union, Ducktrap, Sheepscot, Kennebec, Androscoggin, Presumpscot and Saco River.

³ The larger the impacts, the more likely an individual permit will be required. Projects involving widening, expansion or impacts to degraded or low value wetlands between 1-3 acres may be approved under Category II, subject to the Federal screening. The Corps recognizes and endorses the DEP Tier 2 upper thresholds of 1 acre. Compensatory mitigation is likely to be required at this level of impact.

	CATEGORY I	CATEGORY II	INDIVIDUAL PERMIT
(a) NEW FILL/ EXCAVATION DISCHARGES	<p>-- Impact area includes all temporary and permanent fill and excavation discharges except for incidental fallback.</p> <p>-- In-stream work limited to July 15 - Oct. 1.</p> <p>-- This category excludes situations when a vernal pool of any size may be impacted, in accordance with the ME DEP definition of vernal pool⁴</p> <p>-- This category excludes work within ¼ mile or a Wild and Scenic River⁵</p> <p>-- This category excludes dams, dikes, or activities involving water withdrawal or water diversion.</p> <p>-- This category excludes work in National Wildlife Refuges.</p>	Proactive restoration projects with any amount of impact can be reviewed under Category II. The Corps, in consultation with State and Federal agencies, must determine that net adverse effects are not more than minimal.	
(b) BANK STABILIZATION PROJECTS	<p>Inland bank stabilization less than 500 ft. long and less than 1 cy fill per linear foot below ordinary high water in ponds, lakes, and waterway not designated as EFH for Atlantic salmon², provided there is no wetland fill.</p> <p>-- In-stream work limited to July 15 - Oct. 1.</p>	<p>Inland bank stabilization in ponds, lakes, and waterways not designated as EFH for Atlantic salmon² which exceeds Category I limits.</p> <p>Inland bank stabilization of any size below ordinary high water in waterways designed as EFH for Atlantic salmon².</p> <p>-- Other stabilization exceeding Category I.</p>	
(C) REPAIR AND MAINTENANCE OF AUTHORIZED FILLS	Repair or maintenance of existing, currently serviceable, authorized fills with no substantial expansion or change in use.	Replacement of non-serviceable fills, or repair or maintenance of serviceable fills with expansion of any amount up to 1 acre, or with a change in use.	Replacement of non-serviceable fills, or repair or maintenance of serviceable fills with greater than 1 acre of expansion.

⁴ Vernal Pool: Naturally-occurring, or intentionally created for the purposes of compensatory mitigation, temporary to permanent bodies of water occurring in shallow depressions that fill during the spring and fall and may dry during the summer. Vernal pools have no permanent or viable populations of predatory fish. Vernal pools provide the primary breeding habitat for wood frogs, spotted salamanders, blue-spotted salamanders, and fairy shrimp, and provide habitat for other wildlife including several endangered and threatened species.

⁵ National Wild/Scenic Rivers System (Designated River in Maine): Allagash River beginning at Telos Dam continuing to Allagash checkpoint at Eliza Hole Rapids, approximately 3 miles upstream of the confluence with the St. John River. Length = 92 miles.

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B. TIDAL WATERS AND NAVIGABLE WATERS ⁶	CATEGORY I	CATEGORY II	INDIVIDUAL PERMIT
(a) FILL		Up to 1 acre waterway or wetland fill and secondary impacts (e.g., areas drained, flooded or cleared). Includes temporary and permanent waterway fill. -- Temporary tidal marsh impacts up to 1 acre. -- Permanent tidal marsh, mudflat, or vegetated shallows 7 fill up to 1,000 sf. -- Proactive restoration projects with any amount of impact can be reviewed under Cat. II. The Corps, in consultation with State and Federal agencies, must determine that net adverse effects are not more than minimal.	Greater than 1 acre waterway fill and secondary impacts (e.g., areas drained, flooded or cleared). Includes -- Temporary tidal marsh impacts over 1 acre. -- Permanent tidal marsh, mudflat, or vegetated shallows 7 fill over 1,000 sf.
(b) REPAIR AND MAINTENANCE WORK	Repair or maintenance of existing, currently serviceable, authorized structure or fills with no substantial expansion or change in use. -- Work must be in same footprint as original structure or fill	Repair or replacement of any non-serviceable structures or fill, or repair or maintenance of serviceable fills with expansion of any amount up to 1 acre, or with a change in use.	Replacement of non-serviceable structures or fill or repair or maintenance of serviceable structure or fill with expansion greater than 1 acre.

6 Navigable Waters: waters that are subject to the ebb and flow of the tide and Federally designated navigable waters (Penobscott River to Medway, Kennebec River to Moosehead Lake, and the portion of Umbagog Lake in Maine).

7 Vegetated Shallows: subtidal areas that support rooted aquatic vegetation such as eelgrass.

	CATEGORY I	CATEGORY II	INDIVIDUAL PERMIT
(c) DREDGING	Maintenance dredging of less than 1,000 cy with upland disposal. -- Proper siltation controls used -- Limited to work between November 1 and January 15. -- No impact to special aquatic sites ⁸	Maintenance dredging of greater than 1,000 cy, new dredging of up to 25,000 cy, or projects that do not meet Category I. Disposal includes upland, open water or beach nourishment (above mean high water), only if material is determined suitable.	Maintenance dredging (any amount) in or affecting special aquatic sites ⁷ . See B(a) above for dredge disposal in wetlands or water. New dredging greater than 25,000 cy or any amount in or affecting special aquatic sites ⁷ .
(d) MOORINGS	-- Private, non-commercial, non-rental single boat moorings not associated with any boating facility? ⁹ provided not located in a Federal Navigation Project, there is no interference with navigation, it is not located in vegetated shallows ⁶ , and it is within ¼ mile of the owner's residence or a public access point ¹⁰ . -- Minor relocation or previously authorized mooring and moored floats consistent with Harbormaster recommendations, provided it is also consistent with local regulations, is not located in vegetated shallows, and does not interfere with navigation.	Moorings that do not meet the terms of Category I (e.g., rental or service moorings) and moorings that meet the terms of Category I that are located in a Federal anchorage.	Moorings within the horizontal limits, or with moored vessels that extend, into the horizontal limits of a Federal Navigation Project, except those in Federal anchorages under Category II.

⁸Special Aquatic Sites: include wetlands and salt marsh, mudflats, riffles and pools, and vegetated shallows.

? Boating Facilities: facilities that provide, rent, or sell mooring space, such as marinas, yacht, clubs, boat clubs, boat yards, town facilities, dockominiums, etc.

¹⁰ Cannot be at a remote location to create a convenient transient anchorage.

	CATEGORY I	CATEGORY II	INDIVIDUAL PERMIT
(e) PILE-SUPPORTED STRUCTURES AND FLOATS	Reconfiguration of existing authorized docks, provided structures are not positioned over vegetated shallows or salt marsh and provided floats are supported off substrate at low tide. No dredging, addition slips or expansion allowed.	Private piers and floats for navigational access to waterway (seasonal and permanent).	Structures, piers or floats that extend, or with docked/moored vessels that extend, into the horizontal limits of a Federal Navigation Project. Structures, including piers and floats, associated with a new or previously unauthorized boating facility ⁸ .
(f) MISCELLANEOUS	<ul style="list-style-type: none"> -- Temporary buoys, markers, floats, etc., for recreational use during specific events, provided they are removed within 30 days after use is discontinued. -- Coast Guard approved aids to navigation. -- Oil spill clean-up temporary structures or fill. -- Fish/wildlife harvesting structures/fill (as defined by 33 CFR 330, App. A-4) -- Scientific measurement devices and survey activities such as exploratory drilling, surveying or sampling. -- Shellfish seeding (brushing the flats) projects¹¹. -- Does <u>not</u> include oil or gas exploration and fills for roads or construction pads. -- This category excludes work in National Wildlife Refuges. 	<ul style="list-style-type: none"> -- Structures or work in or affecting tidal or navigable waters that are not defined under any or the previous headings. Includes, but is not limited to, utility lines, aerial transmission lines, pipelines, outfalls, boat ramps, bridge fills/abutments, etc. -- Shellfish/finfish (other than Atlantic salmon), or other aquaculture facilities which are consistent with the Corps revised standard siting requirements and standard permit conditions dated 7/6/94, or as revised. 	If EIS required by Corps.

¹¹ Brushing the flats: the placement of tree boughs, wooden lath structures, or small-mesh fencing on mudflats for the purpose of enhancing recruitment of soft-shell clams (*Mya arenaria*).